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Government of Kerala
1983



Reg. No. KL/TV(N)/12

KERALA GAZETTE

SUPPLEMENTS

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th sravana 1905 (Saka) [No. 30

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KERALA FOREST CODE, VOLUME I—FORESTS—PUBLICATION OF AUCTION SALE NOTIFICATION IN TAMIL/KANNADA DAILIES—AMENDMENTS—ORDERS ISSUED.

AGRICULTURE (FOREST SPECIAL-A) DEPARTMENT

G. O. (Rt.) No. 1602/83/AD. *Dated, Trivandrum, 27th June 1983.*

Read:—1. G.O. (Rt.) No. 1400/81/AD. dated 1-6-1982.
2. Letter No. C4-56721/80 dated 8-2-1983 of the Chief Conservator of forests.

ORDER

In pursuance of the orders issued in the **G. O.** read as 1st paper above the following amendment will be made to para 10.9.1 (vii) of the Kerala Forest Code, Volume I.

Correction Slip No. 1/1983

In the Kerala Forest Code, Volume I in para 10.9.1 (vii) the following shall be inserted as third sentence.

"Auction sales in the Forest Divisions bordering Tamil Nadu/Karnataka may be notified in one of the Tamil/Kannada dailies having larger circulation in the States concerned in addition to the prescribed normal level of publicity within the State".

By order of the Governor,

S. GOPALAN,
Special Secretary to Government.
(Forests)

To

The Chief Conservator of Forests, Trivandrum.
The Accountant General (Kerala), Trivandrum.
The Finance Department.
The Law Department.
Agriculture (Forest Department).
The Custodian & Conservator of Forests, Vested Forests, Kozhikode.
Stock file

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PART I



GOVERNMENT OF KERALA

Abstract

PUBLIC SERVICES—FINANCIAL ASSISTANTS AND FINANCE OFFICERS
CHANGE OF DESIGNATION—ORDERS—ISSUED

FINANCE (ESTT.B) DEPARTMENT

G.O. (P) No. 325/83/Fin. Dated, Trivandrum, 17th June 1983.

Read:—Representation dated 23-5-1983 from the Kerala Financial Assistants' Association.

ORDER

The Kerala Financial Assistants' Association have all along been representing to Government to consider their request for change of designation of the posts of Financial Assistant Grade I, Financial Assistant Grade II etc. After due consideration, Government are pleased to re-designate the posts of Financil Assistants and Finance Officers as follows:—

Financial Assistant Grade II is re-designated as Financial Assistant.

Financial Assistant Grade I is re-designated as Finance Officer Grade II.

Finance Officer is re-designated as Finance Officer Grade I.

By order of the Governor,
H. KRISHNAMOORTHY IYER,
Deputy Secretary to Government.

[P. T. O.]

G. 1000

To

The Secretary, Kerala Financial Assistants Association.
The Senior Deputy Accountant General, Kerala, Trivandrum.
All District Collectors.
All Heads of Departments.
All Financial Assistants and Finance Officers.
The Registrar, High Court of Kerala (with C.L.)
The Secretary, Kerala Public Service Commission (with C. L.)
The Registrar, University of Kerala/Cochin/Calicut (with C. L.)
The Finance (Establishment 'A'/SS) Department.
The Director of Public Relations.
The Finance (PRC) Department.
The Stock File.

Kerala Gazette No. 30 dated 26th July 1983.

PART I

GOVERNMENT OF KERALA

Abstract

HOSPITAL DEVELOPMENT COMMITTEES—RULES AND PROCEDURE RELATING TO THE CONSTITUTION AND WORKING OF—ORDERS ISSUED

HEALTH (M) DEPARTMENT

G. O. MS. 26/83/HD. *Dated, Trivandrum, 29th January* 1983.

Read:—G. O. MS. 201/77/HD. dated 3-9-1977.

ORDER

The High Power Committee headed by Dr. K. N. Pai recommended that the people's involvement can be achieved only by democratically constituted bodies and have envisaged the concept of Hospital Development Committees in the place of Hospital Welfare and Advisory Committees. The Committees would serve as a body which would keep constant vigil on the working of the institution concerned and would render whatever assistance is necessary by way of voluntary service or financial contributions so as to meet exigencies and to ensure steady development of the institution. On the basis of these recommendations Rules were framed by Government.

In supersession of all the existing orders on the subject, Government prescribe the Rules in the Annexure to regulate the constitution and working of the Hospital Development Committees.

By order of the Governor,

C. RAMACHANDRAN,

Secretary to Government.

Annexure

RULES AND PROCEDURE RELATING TO THE CONSTITUTION AND WORKING OF HOSPITAL DEVELOPMENT COMMITTEES

(A) Introductory

Hospital Advisory Committee consisting of Members nominated by the Government from the public at large and representatives of the staff had been in existence in the State for a long time. But these Committees were functionally ineffective and seldom used to meet. No constructive or

developmental activities were undertaken by them. Hence Government replaced these Committees by Hospital Welfare and Advisory Committees. The High Power Committee headed by Dr. K. N. Pai recommended that peoples involvement can be achieved only by democratically constituted bodies and have envisaged the concept of Hospital Development Committees in the place of Hospital Welfare and Advisory Commitices. The recommendation has been accepted by the Government.

(B) Object

To keep constant vigil on the working of the Institution concerned ; to render whatever assistance is necessary by way of voluntary service or financial constribution so as to meet exigencies; to ensure steady development of the institution and to take up certain responsibilities for the better functioning and improvement of the institution.

(C) Constitution

The constitution of the Hospital Development Committees and the authority to constitute the same will be as specified in the schedule.

(D) Rights and responsibilities of the Committee

(a) To find out defects; if any, in the amenities and functioning of the institutions and devise ways of remedying them.

(b) To strive to maintain orderliness and cleanliness in the institutions and their surroundings.

(c) To assess monetary requirements for improvements and organise ways and means to collect funds.

(d) To exercise proper control and keed up vigilance in preventing malpractices.

(e) To help organise Health Education and Mass Medical Campaigns.

(f) To organise voluntary Blood Banks and Drugs Banks, public comfort stations and by-standars dormitories.

(g) To run canteens and medical shops to provide supplies at fair prices.

(h) To initiate welfare and development activities and to mobilise donations from individuals/voluntary organisations.

(i) To maintain social discipline in hospitals.

(j) To take up construction and repair works not exceeding Rs. 10,000 and supply of diet.

Note : Regarding the details and conditions of construction works and supply of diet separate orders will be issued.

(E) Rules and Procedures

I *Membership* :

(a) Nomination shall be made by the Government or by the authority empowered by the Government. Nominations made against vacancies arising in the middle of the term should be limited to the period by which the term of the other nominated members of the Committee expires.

(b) If a nominated member absents himself/herself for three consecutive meetings, the member shall be liable to be removed from the Committee. The Committee may recommend the restoration of membership of a member so removed on application by the individual concerned, if the Committee is satisfied that there were sufficient reasons for the absence. The Chairman may restore the membership on such recommendations of the Committee.

(c) In the case of an official member, when he himself is unable to attend the meeting due to other pre-occupations, he may depute one of his subordinates to represent him at the meeting.

(d) District Collectors may depute one of the Deputy Collectors to represent them at the meeting when they themselves are unable to attend. They may do so only when such nomination becomes inevitable.

(e) If a Member of Legislative Assembly nominated as a non-official member of the Committee absents himself/herself from the meetings for more than 3 times due to other inevitable pre-occupations, it should not be taken as sufficient reason for his/her removal from the Committee on the ground that he/she has absented himself/herself for more than 3 consecutive meetings.

II *Meetings*

The Committee shall meet at least once in 3 months. The proceedings/recommendations of the Committee relating to the Medical College Hospital shall be forwarded to Secretary to Government, Health Department for information. The recommendations relating to District Hospitals and Special Hospitals shall be forwarded to Director of Health Services. The proceedings of the taluk level Committees shall be fowarded to the District Medical Officers and the Director of Health Services and those of the Government Dispensaries, Government Rural Dispensaries, Primary Health Centres and other Peripheral Hospitals to the District Medical Officers.

III *Quorum for the meeting*

One fourth of the members shall from the quorum of the Committee, subject to the condition that at least one of the members present should be a non-official. The Chairman shall normally preside over the meetings of the Committee. In the absence of the Chairman, the members present shall elect a Chairman for the particular meeting.

IV *Scope of the meeting*

(a) The meetings shall be convened by the Secretary and Treasurer in consultation with the Chairman. The Committees may discuss topics of public interest and importance connected with the institutions concerned. It shall be open to any member of the Committee to forward to the Secretary his remarks or suggestions to be placed before the Committee for discussion.

(b) All suggestions and recommendations for the improvement of the institutions and for the welfare of patients may be brought before the Committee for discussion and decision by a majority. In case of equality of votes, the Chairman shall have a casting vote.

(c) The minutes of the meeting shall be recorded in a book and shall be signed by the Chairman or the Member who presides over the meeting in the absence of the Chairman.

(d) At the beginning of each year the Superintendents and Medical Officers in charge of institutions should place before the Committee, the budget provisions for the different activities of the institution for the year and they should also briefly outline the activities that they propose to organise during the year to enable the non-official members to know the limitations under which the institution is working so that discussions will be realistic. When the Committees meet once in three months, a review of the activities of the Committee since the last meeting may be made and it should chalk out advance programme for the coming three months.

(e) It shall be the duty of the Superintendents and Medical Officers in charge of the institution concerned to point out the impracticability of any suggestion mooted during the Committee's discussion then and there so that there may not be any room for future complaint that the recommendations of the Committee were not given due consideration. They will be responsible for the implementation of the recommendations as approved by the Committee. If the Superintendents and Medical Officers concerned are not able to implement any of the recommendations, they should make a report at the next meeting explaining the reasons therefor. The Committee will have the right to discuss the report and record their findings as to whether they are satisfied with the report or not. If they are not satisfied the fact should be reported to the higher authorities together with the views of the Committee on the matter.

V *Institution visits*

(a) The individual members of the Committee may arrange with the Superintendents or Medical Officer in charge to visit the institution at any time during working hours at least once in a month.

(b) They shall have access to every section or branch of the institution except operation theatre, labour room and examination room.

(c) The members may also pay surprise visits to the Hospitals.

(d) A visitors' book shall be opened in each institution for the members to note their remarks.

(e) The Superintendent or the Medical Officer-in-charge should forward a copy of the remarks, recorded by the visitors especially when it is not complimentary, to the District Medical Officers or to the concerned Officers.

(f) Identity cards shall be issued to the members by the Superintendents or the Medical Officer-in-charge concerned.

(F) Ayurveda and Homoeo Departments

As for development committees of Indigenous Medicine and Department of Homoeopathy, the above orders shall be applicable with suitable modifications in respect of official members.

SCHEDULE

A. CONSTITUTION OF HOSPITAL DEVELOPMENT COMMITTEES

I. Medical College Hospitals

(A) *Official Members*

1. District Collector—Chairman.
2. Superintendent of Medical College Hospital—Secretary and Treasurer.
3. Principal, Medical College.
4. Superintendents of other teaching Hospitals under the control of the principal of concerned Medical College.
5. District Medical Officer of Health of the District in which the Medical College is situated.
6. Local Executive Engineer, B & R.
7. Local Executive Engineer, P.H.E.D.
8. Local Executive Engineer, K.S.E B.
9. Nursing Superintendent of Medical College Hospital.

(B) *Non-official Members*

1. Mayor of the Corporation or Chairman of the Municipality in which the Medical College Hospital is situated.
2. Local M.L.A.
3. Seven representatives of major political parties.
4. Three representatives of Rotary/Lions Club or similar Organisations.
5. One Journalist.
6. Two representatives from among the public.

II. District Hospitals

(A) *Official Members*

1. District Collector—Chairman.
2. Superintendent of District Hospital — Secretary and Treasurer.
3. Superintendent of Women & Childern Hospital of the District.
4. District Medical Officer of Health.
5. Local Executive Engineer, B & R.
6. Local Executive Engineer, P. H. E. D.
7. Local Executive Engineer, K. S. E. B.
8. Nursing Superintendent of the District Hospital.

(B) *Non-official Members*

1. Mayor of the Corporation or Chairman of the Municipality in which the District Hospital is situated.
2. Local M. L. A.
3. Seven representatives of mojor political parties.
4. Three representatives of Rotary/Lions Club or similar Organisations.
5. One Journalist.
6. Two representatives from among the public.

III. Taluk and Taluk Level Hospitals

(A) *Official Members*

1. Superintendent of the Hospital—Secretary & Treasurer.
2. Local Tahsildar.
3. Local Assistant Executive Engineer, B & R.
4. Local Assistant Executive Engineer, P.H.E. D.
5. Local Assistant Executive Engineer, K. S. E. B.
6. Nursing Superintendent or Seniormost Head Nurse of the Hospital.

(B) *Non-official Members*

1. Local M. L. A.
2. Chairman of the Municipality or President of the Panchayat in which the Hospital is situated.
3. Seven representatives of major political parties one of whom will be the Chairman.
4. One representative of Rotary/Lions Club/Similar Organisation.
5. One Journalist.
6. Two representatives from among the public.

IV. Rural Hospitals, P. H. Center

(A) *Official Members*

1. Medical officer in charge—Secretary and Treasurer.
2. Block Development Officer.
3. Local Assistant Engineer, B & R.
4. Local Assistant Engineer, P. H. E. D.
5. Local Assistant Engineer, K. S. E. B.
6. Seniormost Nurse or A. N. M. of the Institution.

(B) *Un-official Members*

1. M.L.A.
2. Chairman of the Municipality or the President of the Panchayat in which the Institution is situted.
3. Seven representatives of major political parties of which one will be nominated as Chairman.
4. One or two representatives of Rotary/Lions Club/Social Organisations wherever they exist.

5. One Journalist.
6. Two representatives from among the public.

V. Special Hospitals (Mental, T. B., Leprosy)

(A) *Official Members*

1. District Collector—Chairman.
2. Superintendent of the Hospital—Secretary and Treasurer.
3. Deputy Director of Health Services/Assistant Director of Health Services of the concerned speciality.
4. District Medical Officer of Health.
5. Local Executive Engineer, B & R.
6. Local Executive Engineer, P. H. E. D.
7. Local Executive Engineer, K. S. E. B.
8. Nursing Superintendent of the Hospital.

(B) *Un-official Members*

1. Mayor of the Corporation or Chairman of the Municipality or President of the Panchayat in which the Hospital is situated.
2. Local M. L. A.
3. Seven representatives of major political parties.
4. Three representatives of Rotary/Lions Club/Social Organisations.
5. One Journalist.
6. Two representative from among the public.

Note:—If the local M. L. A. happens to be a Minister he will be represented by a person nominated by that Minister.

B. AUTHORITY TO CONSTITUTE DEVELOPMENT COMMITTEES

(1) Government will constitute the Development Committees of the following institutions:—

(i) Medical College Hospitals
(ii) District Hospitals
(iii) Special Hospitals
(iv) Taluk Hospitals.

(2) District Collectors will constitute the Development Committeis for the following institutions on the recommendations of the D. M. O.:—

(i) Hospitals other than those covered under item I above.
(ii) Primary Health Centres.
(iii) Government Dispensaries.

C. TERM OF THE COMMITTEE

The term of the Hospital Development Committee shall be 3 years.

GOVERNMENT OF KERALA

Labour (C) Department

NOTIFICATION

G.O. (MS) No. 35/83/LBR. *Dated, Trivandrum, 15th July,* 1983.

The following are the select lists of Officers as approved by the Government on the recommendation of the Departmental Promotion Committee, for promotion to the categories of District Labour Officer, Deputy Labour Commissioner and Joint Labour Commissioner in the Labour Department for the year, 1980.

SELECT LIST

District Labour Officer

1. Shri Mathew Paul
2. ,, Joseph K. Joseph
3. ,, A.G. Miranda
4. ,, K. D. Antony
5. ,, K.V. Chandrasekharan Nair
6. ,, R. Chellappan Pillai
7. ,, N. Sankaran Nair
8. ,, A. Muhammed Kunju
9. ,, C. Sekharan
10. ,, P. Mahamood
11. ,, V. G. Easwaran Potti
12. ,, P. Sivankutty
13. ,, K. C. Velayudhan Pillai
14. ,, K.M. Pavithran
15. ,, T. M. Kunjubava
16. ,, C. Narendran

Deputy Labour Commissioner

1. Shri T. Vikraman Nair
2. ,, P. Geevarghese

Joint Labour Commissioner

1. Shri N. Sadasivan
2. ,, K. Madhavan Nair
3. ,, S. Balakrishnan Nair

V. KRISHNAMURTHY,
Special Secretary to Government,
Labour Department and Convener,
D.P.C. (I) for the Labour Department.

Kerala Gazette No. 30 dated 26th July 1983.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 214/83/LBR. *Dated, Trivandrum, 28th February,* 1983.

The award of the Labour Court, Quilon in respect of the dispute between the Managing Director, Chemitch (India) Private Limited, Industrial Development Area, Kochuveli, Trivandrum, and their workmen represented by the President, Chemitch Employees' Union (CITU), Corporation Buildings, Pettah, Trivandrum received by Government on 23-2-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

K. SIVADASAN,

Deputy Secretary to Government.

IN THE LABOUR COURT, QUILON

Present:

T. V. KUNHAHAMED, B.A., B.L.,

Presiding Officer

Dated this the 23rd day of February, 1983

In

INDUSTRIAL DISPUTE No. 85|78.

Between

THE MANAGING DIRECTOR,

.mitch (India) Private Ltd., Industrial Development Area, Kochuveli, Trivandrum.

And

THE WORKMEN

of the above concern represented by the President, Chemitch Employees' Union (CITU), Corporation Buildings, Pettah, Trivandrum.

Representations:—

Shri P. Somanathan,
Advocate, Trivandrum-1. For *the Management.*

Kunnathukal Shri V. Sukumaran Nair,
Advocate, Vanchiyoor, For *the Union.*
Trivandrum-1.

AWARD

The issue referred for adjudication by the Government of Kerala as per G. O. (Rt.) No. 1178|78|L&H dated 22-7-1978 relates the termination of service of the following workmen:—(1) Sri K. S. Vikraman Nair (2) Sri A. Aboobaker (3) Sri M. Gnanaseelan (4) Sri S. Sourimuthu (5) Sri N. Dasan (6) Sri K. Radhakrishnan (7) Sri P. Ramachandran (8) Sri K. Gopalakrishnan (9) Sri D. Tathidevan.

(2) The Secretary of the Chemitch (India) Private Ltd. Employees' Union filed a statement raising the following contentions:—

The dates of appointment of the nine persons concerned in this dispute are given in the statement. Sri Gnanaseelan was appointed on 25-6-1973. A. Aboobaker and N. Dasan were appointed on 3rd April, 1975. Sourimuthu and Gopalakrishnan and K. S. Vikraman Nair were appointed on 1st February, 1976 and the remaining persons were appointed on 17th May, 1976. Originally the said workers were appointed as trainees and on successful completion of the training their services were regularised. Originally the union namely Chemitch Employees Union was affiliated with the INTUC. But since the INTUC leadership was following a policy of collaboration with the Management the workers decided to change the affiliation and they changed over to the C.I.T.U. in August 1977. This change of leadership infuriated the management and thereafter they have been adopting all unfair tactics to wreak vengeance on the workers. When all the nine workmen were about to complete their probation, the management issued a notice at about 4 p.m. on 29-4-1978 calling upon them to give their consent for extension of probation. The notice required the workmen to give their consent by 9 a.m. on second May, 1978. It was also stated, that their services would be terminated if the consent is not given within the time stipulated in the notice. The undue haste shown in issuing the said notice and the very little time allowed for giving the consent shows the malafide intention of the management. The procedure adopted by the management that is getting the consent of the workman for extending the probation also indicates the ulterior motive of the management. On 29-4-1978 itself the Union requested the management through a letter to allow some more time to furnish the reply. Without allowing the time asked for, the management terminated the services of the nine workmen on

3-5-1978. The very fact that the workmen had discharged their duties on 2-5-1978 shows that they were willing to continue in the employment of the company. In the circumstances the order of termination is nothing but colourable exercise of power to get rid of the nine workmen. Charges were not framed against them before termination of their services. Since all of them had completed more than 240 days of service, they were entitled to get protection of the Industrial Disputes Act. On 3-5-1978 also the workmen had reported for work. But they were not allowed to attend to their duties. The order passed on 3-5-1978 terminating their services with retrospective effect from 30-4-1978 is unsustainable. The management has no right to terminate the services of an employee who was in active service with retrospective effect. Since the management had refused to give them work, benefits should be allowed to them on the basis that they had performed their duties from 3-5-1978. The Union prayed for reinstatement of the workmen with all back wages.

3. The management entered appearance and filed a reply statement raising the following contentions:—

The Company was set up in the year 1974 and it started production in 1975. The Company manufactures a sophisticated product by name synthetic caution exchanger based on petrochemical raw materials. Considering the highly sophisticated nature of the plant and machinery the company has to train people very carefully to suit the requisite job requirements. The sophisticated machineries cannot be allowed to be handled by in-experienced personnel. All the nine individuals concerned in the dispute were taken as probationers on 1st November 1977 and not on the dates stated in para 2. The individuals continued to be probationers till the issue of notice dated 3-5-1978. Their probation was not satisfactory. But as a gesture of good will, the management decided to give the probationers an opportunity to improve themselves and therefore it was decided to extend the period of probation for a further period of 6 months from 1-5-1978. As requested by the workmen, the management had extended the time for giving consent for extension of probation upto 4 p.m. on 2-5-1978. Four of the probationers expressed their willingness. The remaining probations did not respond to the memo Some of them told the Managing Director that they are not interested in the continuance of their probation. It is not true to say that the probationers had discharged their duties to the satisfaction of all concerned. There was nothing wrong or illegal in the issue of the memo dated 29-4-1978. It was intended to give sufficient opportunity to the petitioners either to accept the extension of probation or to express their unwillingness to the same. There was no undue haste as alleged. There was no colourable exercise of power as alleged in the claim statement. The nine petitioners have no right to continue thereafter. There was no violation of the principles of natural justice or fair play. The Industrial Disputes Act does not confer any right on the probationers to continue in the employment of the management. They are not entitled to be reinstated with or without back wages.

4. Exhibits M1 to M7 and W1 to W17 were marked WW1 and WW2 were examined.

The facts of the case are quite simple. All the workmen were probationers and their period of probation was to expire on 30th April 1978. On the evening of 29th of April the Management had called upon them to give their consent for extension of probation. They had not give their consent. They worked on 2nd of May 1978. On the 3rd of May their probation was terminated with effect from 30th of April. The workmen have put forward a case, that the action of the management is actuated by mala fides that the management bears a grudge against them since they had changed the affiliation of the union from the I. N. T. U. C. their consent was not required for extension of probation and since they had worked on 2nd of May, it should be presumed that they had given their consent and therefore, the action of the management in terminating their probation with retrospective effect from 30th April is bad. There is some evidence to show that there was a change of affiliation of the Union. WW2 the Joint Secretary of the Union has given evidence that he was appointed on 3-5-1975 as a mechanical trainee that after 3 months be was regularised as a Plant Assistant and after he was promoted as D Grade Workman he was put on probation. The Vice President of the Union who was examined as WW1 has stated that he entered service on 3-4-1975 that at first he was an operative trainee that after three months he was promoted as a Plant Assistant and that he had worked from 3-4-1975 to 1978.

In view of the contentions raised by the parties I am not going into the question regarding the dates of original appointment. For the purpose of this proceeding it is enough if the Court proceeds on the basis that all the workmen were probationers and their period of probation expired on 30th April 1978. The management had no desire to terminate the probation and they were prepared to extend the same. As a matter of fact permission of the probationer is not required for extending the period of probation. When an order extending the probation is issued it is upto the workman to accept the same or to seek better pastures elsewhere. Even though the management has not pleaded that the workmen had not worked on 2-5-1978 a feeble attempt has been made to show that they had not worked on 2-5-1978 by producing Ext. M6 the alleged Attendance Register which has not been proved by examining the person who had marked the attendance. WW1 and WW2 have stated in cross examination that they had signed in the Attendance Register on 2-5-1978. No attempt was made to prove Ext. M6 through these witnesses. In the circumstances I am proceeding on the basis that the workmen had reported for work on 2nd of May thereby showing their willingness to continue on probation. The question regarding termination of probation was considered by the Supreme Court in the decision reported in 1964 1 LIJ Page 9 (Express News Papers Limited and Labour Court, Madras and another). In that case the court was dealing with the case of termination of probation of a Journalist

before the expiry of the period of probation. The workman was elected President of his union just 6 days before the termination. The Labour Court set aside the termination and held that it was a clear case of victimisation. The order of the Labour Court was assailed before the High Court on the ground that the finding regarding victimisation was vitiated by apparent error and the Labour Court exceeded its jurisdiction by ordering reinstatement with back wages, since the probation could have been terminated at the end of the period without giving rise to any claim. The High Court rejected both the contentions, referring to the contention raised by the management, the Supreme Court has observed as follows:—"The main contention urged by Mr. Gupta in support of the appeal is that the High Court was wrong in law in thinking that once the period of six months expired Bobb still continued to be in service of the appellant as a probationer. According to the learned counsel, there would be automatio termination of service as soon as the period of probation of six months had expired unless an order of confirmation was made. This contention is, in our opinion, wholly unsound. There can, in our opinion, be no doubt about the position in law that an employee appointed on probation for six months continues as a probationer even after the period of six months if at the end of the period his services had either not been terminated or he is confirmed. It appears clear to us that without any thing more an appointment on probation for six months gives the employer no right to terminate the service of an employee before six months had expired except on the ground of misconduct or other sufficient reasons in which case even the services of a permanent employee could be terminated. At the end of the six months' period the employer can either confirm him or terminate his services, because his service is found unsatisfactory. If no action is taken by the employer either by way of confirmation or by way of termination, the employee continues to be in service as a probationer. The High Court was therefore right in rejecting the management's contention that there was an automatic termination of Bobb's services after 28th August 1957.

Mr. Gopte also tried to persuade us to examine the correctness of the High Court's view that the Labour Court's findings on the question of victimisation was not liable to interference. It appears to us clear that when the Labour Court came to the conclusion on a consideration of the evidence that the management's action was not bona fide but amounted to victimisation of the employee, it would not have been open to the High Court to disturb that finding except on the ground of an error apparent on the face of the record or on the ground that there was no evidence at all to support it. The High Court has not only found no such error but has gone further and indicated its support of that finding. It is not open to the management to challenge the High Court's conclusion on this point".

The union has adduced oral and documentary evidence to show that the termination of the workmen's services was a clear case of victimisation. On the other hand the management has not placed any material to show that their work and conduct were not satisfactory.

Since the workmen had expressed their willingness to continue in service it cannot be said that even if their consent is required for extension of probation, they had not given their consent. Therefore I am not proceeding to examine the further question whether the management had given the workmen sufficient time for making up their mind. I would therefore hold that the termination of service of the workman cannot be justified.

The next aspect to be considered is regarding the proper order to be passed. I have already come to the conclusion that the order of termination of probation is bad in law. Therefore it has to be deemed that all the workmen are still in service, may be as probationers. WW2 has stated that so far workmen have not secured any other employment. Therefore the workmen have to be reinstated with all back wages and other benefits. At the same time it has got to be observed that the management is free to terminate the services of the workmen if their work and conduct are found to be not satisfactory after the expiry of 6 months from the date of reinstatement.

In the result I pass an award ordering reinstatement of Sri K. S. Vikraman Nair, (2) Sri A. Aboobaker, (3) Sri Gnanaseelan, (4) Sri S. Sorimuthu, (5) Sri N. Dasan, (6) Sri K. Radhakrishnan, (7) Sri P. Ramachandran, (8) Sri K. Gopalakrishnan, (9) Sri D. Rathidevan with all back wages and other benefits.

The parties shall bear their costs.

This award shall come into force with effect from the expiry of thirty days from its publication in the Government Gazette.

Dictated to the Confidential Assistant, transcribed by her, corrected and signed by me this the 23rd day of February, 1983.

T. V. KUNHAHAMED,

Presiding Officer,

APPENDIX

Witness examined on the side of the Management:—

Nil

Exhibits marked on the side of the Management:—

Ext. M1 Series: Copies of the letters issued to P. Radhakrishnan Nair, K. Gopalakrishnan Nair, M. Gnanaseelan, D. Rathidevan, P. Ramachandran Nair, S. Sorimuthu, N. Dasan, K. S. Vikraman and Aboobaker.

Ext. M2 Letter dated 29-4-1978 from the Managing Director addressed to Sri N. Dasan.

Ext. M3 Notice dated 3-5-1978 issued by the Managing Director.

Ext. M4 Appendix to Memorandum of settlement dated 4-2-1978.

Ext. M5 Series: Bio data of the nine employees.

Ext. M6 Attendance Register.

Ext. M7 Charter of demands dated 13-12-1977.

Witnesses examined on the side of the Workmen:—

WW1 N. Dasan

WW2 A. Aboobaker.

Ext. marked on the side of the Workmen:—

Ext. W1 Instructions issued by the Management on 17-3-1976.

Ext. W2 Memo dated 3-1-1978 issued to Sri M. Gnanaseelan.

Ext. W3 Memo dated 3-1-1978 issued to Sri D. Rathidevan.

Ext. W4 Notice dated 25-3-1976 of the Management.

Ext. W5 Copy of the letter dated 3-4-1975 from Sri A. Aboobaker.

Ext. W6 Letter dated 25-6-1975 from Sri N. Gnanaseelan.

Ext. W7 Discharge certificate dated 26-12-1975 issued to Sri Gnanaseelan.

Ext. W7(a) Receipt of money dated 13-12-1975.

Ext. W7(b) Receipt of money dated 26-12-1975.

Ext. W7(c) Receipt of money dated 26-12-1975.

Ext. W8 Memo dated 4-1-1978 issued to Sri N. Gnanaseelan.

Ext. W9 Memo dated 4-1-1978 issued to Sri S. Mathu.

Ext. W10 Memo dated 3-5-1976 issued to Sri R. Radhakrishnan.

Ext. W11 Memo dated 23-1-1978 issued to Sri K. Gopalakrishnan Nair.

Ext. W12 Registration certificate of the Union.

Ext. W13 Memorandum of settlement dated 5-1-1978.

Ext. W14 Series: Memo issued to the 13 workers.

Ext. W15 Workers Identity Card of Sri N. Dasan.

Ext. W16 Identity Card of Sri K. Gopalakrishnan Nair.

Ext. W17 Appendix to the Memorandum of settlement dated 4-1-1978.

Kerala Gazette No. 30 dated 26th July 1983.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 629/83/LBR. *Dated, Trivandrum, 8th June 1983.*

The award of the Labour Court, Ernakulam in respect of the dispute between The President, Thirumarayoor Service Co-operative Bank Ltd. No. 809, P.O. Thirumarayoor, (via) Arakunnam-682313 and the workman of the above concern Shri K.C. George, Kalapparakkal House, P.O. Veliyanad, (via) Arakunnam received by Government on 23-5-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Present:

SHRI N. SUKUMARAN, B. SC., B.L.,
Presiding Officer

Wednesday, the 18th day of May, 1983

INDUSTRIAL DISPUTE No. 29 of 1981

Between.

The President, Thirumarayoor Service Co-operative Bank Ltd. No. 809, P.O. Thirumarayoor, (via) Arakunnam-682313.

And

The workman of the above concern Shri K.C. George, Kalapparakkal House, P.O. Veliyanad, (via) Arakunnam

Representations:—

Shri Abraham Vakkanal, C/o Kannanthanam & Co., Advocates, Cochin-20. — For *Management*

Shri N. Haridas, Advocate, Cochin-16. — For *Workman*

CA. 75/J

AWARD

The issue referred for adjudication by Government as per G.O. (Rt.) No. 558/81/LBR dated 23-4-1981 is "Dismissal of Shri K.G. George".

2. Shri K.G. George in the charter of demands appended to the reference as well as the rejoinder filed before this Gourt attacks the dismissal as wholly unsustainable and claims reinstatement with all benefits. The Management in its written statement contends that Shri George committed grave acts of misconduct for which disciplinary proceedings were initiated and that he was found guilty of those misconducts in a properly conducted domestic enquiry. The punishment of dismissal, according to the Management, is justifiable in view of the gravity of the misconducts proved.

3. The Management had produced the relevant documents concerning the domestic enquiry. The case was posted for evidence when the workman and his Advocate were absent. So he was declared ex-parte and the case proceeded in his absence.

4. An affidavit is filed on behalf of the Management when it was asked to prove its contentions. It is stated therein that a valid and proper domestic enquiry was conducted in the disciplinary proceedings initiated against the workman and that he was found guilty in the enquiry of grave acts of misconduct. The enquiry papers produced reveal that serious charges of misappropriation were raised and proved against the worker. In these circumstances the Management's case that the workman is guilty of grave acts of misappropriation deserving the punishment of dismissal has to be accepted and I find no reason whatsoever to grant any reliefs to the workman as per Sec. 11-A of the Industrial Disputes Act. In the result an award is passed confirming the dismissal of Shri K.C. George.

Ernakulam,
18-5-1983.

N. SUKUMARAN,
Presiding Officer.

Kerala Gazette No. 30 dated 26th July 1983.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 625/83/LBR. *Dated, Trivandrum, 8th June 1983.*

The award of the Labour Court, Ernakulam in respect of the dispute between the Manager, M/s. Cochin Tourist Home, Ernakulam, Cochin-16 and the workman of the above concern Shri A. K. Govindan, Ambazhappully House, Amballoor, Alagappanagar Post, Trichur District received by Government on 5-5-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. Sivadasan,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Saturday, the 30th day of April, 1983

Present :

Shri N. SUKUMARAN, B. SC., B.L.,
Presiding Officer

INDUSTRIAL DISPUTE No. 21 OF 1982

Between :

The Manager M/s Cochin Tourist Home, Ernakulam, Cochin-16

And

The workmen of the above concern Shri A. K. Govindan, Ambazhappully House, Amballoor, Alagappanagar Post, Trichur District.

Representations :—

M/s M. Ramachandran &
K. R. B. Kaimal,
Advocates, Cochin-17. — For *Management*

Shri Joseph Franklin,
Advocate, Cochin-18 — For *Workman*

AWARD

Dismissal of Shri A. K. Govindan is the issue referred for adjudication by Government as per G. O. (Rt.) No. 378/82/LBR dated 15-4-1982.

2. Shri A. K. Govindan alias Venu was a pantryman of the Management, Cochin Tourist Home, Ernakulam. The Management in its written statement contends that Shri Govindan on 14-12-1978 unauthorisedly gave accommodation in one of the rooms of the hotel to a man and a women for the purpose of prostitution and Shri Govindan himself thereafter shared the particular room with the woman involved and when questioned about it he confussed his guilt and therefore he was dismissed. It is stated further that no domestic enquiry was conducted in view of the unconditional admission of guilt made by Shri Govindan and that Shri Govindan who was personally served with the order of dismissal refused to accept the same and the postal communication subsequently despatched in that behalf was also returned unserved. The dismissal, according to the Management, is sustainable and Shri Govindan cannot under any circumstances be given the relief of reinstatement as the Management had lost its confidence in him.

3. In the charter of demands appended to the reference it is stated that Shri Govindan was placed under suspension with effect from 16-12-1978 and later dismissed for no fault of him. It is also stated therein that he did not admit his guilt. In the rejoinder the position is elaborated further by stating that the Management had obtained plain signed papers from Shri Govindan under some pretest or other on prior occasions and the so-called confession of guilt is fabricated utilising such blank papers which were under the custody of the Management. The allegation that Shri Govindan involved himself in a misconduct involving moral turpitude on 14-12-1978 is emphatically denied. Reinstatement with all benefits is claimed. A motive is also attributed to the Management's action in having dismissed him. That, according to the rejoinder, is the fact that Shri Govindan had filed an application along with the other employees for implementation of the notifications under the Minimum Wages Act.

4. Admittedly there is a dismissal. There was no domestic enquiry. The Management had attempted to establish that Shri Govindan had admitted his guilt and therefore there was no necessity for a domestic enquiry. The only witness on the side of the Management is MW1. He was the then Manager of the concern. The documents proved by him are Exts. M1 to M8. Shri Govindan examined himself as WW1. The only other witness on his side is WW2. Exts. W1 and W2 are the documents proved on his side.

5. The main question is as to whether Shri Govindan was guilty of the misconduct attributed to him. MW1 the only witness examind on the side of the Management had no direct knowledge regarding the alleged misconduct. He was examined to say that Shri Govindan had admitted his

guilt in Ext. M1. Ext. M1 is dated 16-12-1978. That, according to MW1, is a Voluntary statement-cum-apology submitted by Shri Govindan. The definite stand taken by Shri Govindan regarding this document in his rejoinder is that it is a document fabricated by the Management utilising the blank signed paper obtained from him by it earlier. But that case is given a go-by when it came to the stage of evidence. Shri Govindan as WW1 had stated even in chief examination that Ext. M1 was written by him in his own handwriting. This statement made in evidence before me is sufficient to say that the defence taken up in the rejoinder is false. There is no question of utilising a blank paper when the contents of Ext. M1 are admittedly written by Shri Govindan. The genuineness of the signature is also not in dispute. What is sought to be proved before Court is that Ext. M1 was written on instructions from MW1 and the same was prepared and signed on the belief that it is an innocent document intended to be used against another co-employee who was also involved in the incident on 14-12-1978. The said employee is one Thomas who was the room boy. But a reading of Ext. M1 is sufficient to say that Ext. M1 would not have written under such a misconception. The document states in so many words that Shri Govindan was really guilty of the misconduct now attributed to him. He had also craved for mercy for having committed such a misconduct. In the face of these narrations the plea that it was written under the bona fide belief that it was to be used against Shri Thomas cannot be accepted. WW2, another employee, was examined to corroborate WW1's version that Ext. M1 was executed in the circumstances pleaded by Shri Govindan. WW2 is an attester to Ext. M1 As an attester he has proved the genuineness of that document. Of course there is a casual statement by this witness that Ext. M1 was written as instructed by the Manager. But WW2 is a retrenched employee and it is evident from his own statement that he has raised another dispute against this Management and the same is pending. So much importance need not be attached to the statement of WW2 that Ext. M1. was written on the instructions of MW1. The contents of the document and the conflicting versions advanced by Shri Govindan regarding the origin of the document are sufficient to say that the plea now put forward regarding the circumstances under which it was written cannot be accepted. The evidence of MW1 that it is the voluntary statement recorded and signed by Shri Govindan has to be accepted in the circumstances of the case.

6. Ext. M1 contains an unconditional admission of guilt by Shr Govindan that he had unauthorisedly allotted a room for immoral activities and that he himself shared the room with a Woman of loose charactor. The dismissal was on the basis of this admission of guilt. The misconduct is now established before this Court as well by properly proving Ext. M1 Shri Govindan, therefore, is guilty of the misconduct attributed to him.

7. Now the question remains as to whether Shri Govindan is entitled to any reliefs in the matter of punishment. The misconduct proved is very grave and nothing short of dismissal will be adequate

punishment. So no interference in the matter of punishment is called for.

8. It was argued on behalf of the workman that at any rate he is entitled to back wages from the date of dismissal till the date of award that is to be passed in the case even if the dismissal is upheld as there was no domestic enquiry. Ordinarily the Management is expected to conduct a domestic enquiry when disciplinary proceedings are initiated against a workman and the Management even if it ultimately succeeds before court in establishing the misconduct meriting the punishment of dismissal will have to pay the backwages till the date of the award if there was no domestic enquiry. But that rule does not apply invariably to all cases. A domestic enquiry is necessary only if the workman pleads innocence of the misconduct attributed to him. The very purpose of the domestic enquiry is to find out whether the workman is guilty of the particular misconduct or not. There is no necessity or occasion for a domestic enquiry if the workman confesses his guilt. Here in this case it is established that there was an unconditional admission of guilt and the dismissal followed on its basis. When that is the position the workman cannot claim back wages till the date of the award.

9. Ext. M2 is the dismissal order. In that order the Management had offered the worker compensation of Rs. 290, notice pay of Rs. 145 and salary for December amounting to Rs. 145. A sum of Rs. 114 is deducted as advance received for December. The balance sum of Rs. 466 was offered to him. Ext. M2 was not accepted and therefore the Management issued Ext. M2 (a) registered cover which was returned unserved. That cover is produced intact and I am opening the same to verify its contents. On verification it is seen that a cheque for Rs. 466 was also forwarded. Though Shri Govindan is not entitled to any compensation the circumstance that the Management had offered a sum of Rs. 466 on 2-1-1979 has to be taken into account. Four years have elapsed since that offer. Taking all the circumstances I direct the Management to pay a sum of Rs. 1,000 (Rupees one thousand only) as ex-gratia payment to Shri Govindan. Shri Govindan is not entitled to any other reliefs. An award is passed accordingly.

Ernakulam,
30-4-1983.

N. SUKUMARAN,
Presiding Officer.

APPENDIX

Witness examined on the Management's side :

MW1 Shri Joseph

Witness examined on the Management's side:

WW1 Shri Govindan.
WW2 ,, M. T. Kunjukunju.

Exhibits marked on the Management's side :

Ext. M1. A statement of Shri Venu dated 14-12-1978.

,, M2. Copy of dismissal order dated 1-1-1979 issued to Shri Govindan alias Venu.

,, M2 (a). A registered postal cover addressed to Shri Govindan returned unserved.

,, M3. A petition dated 9-1-1979 from Shri A. K. Govindan to the Management.

,, M4. Postal acknowledgement addressed to Shri A. K. Govindan.

,, M5. A Communication of Shri A. K. Govindan dated 2-2-1979 addressed to the Management.

,, M6. Gopy of a memo dated 9.8-1978 issued to Shri Venu by the Management.

,, M7. Explanation of Shri Venu dated 10-8-1978.

,, M8. A statement of Shri K. M. Thomas dated 16-12-1978.

Exhibits marked on the Workman's side :

Ext. W1. A communication dated 15-1-1979 from the Management to Shri Govindan.

Ext. W2. Copy of a petition dated 9-1-1979 from Shri Govindan to the Management.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 699/83/LBR. *Dated, Trivandrum, 17th June 1983.*

The award of the Labour Court, Kozhikode in respect of the dispute between The President, Tellicherry Co-operative Building Society, Tellicherry and their workman Sri K. Raghavan, Kandoth House, P. O. Panniyannur, via Chokli, Tellicherry received by Government on 11-4-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Kozhikode, Kerala State

Dated, this the 28th day of March, 1983.

Present:

HAJEE P. A. SHAHUL HAMEED, B. A., B. L.

Presiding Officer

In

INDUSTRIAL DISPUTE No. 21/81

Between

The President, Tellicherry
Co-operative Building Society, Tellicherry. .. Management

And

Sri K. Raghavan, Kandoth House,
P.O. Panniyannur, Via Chokli, Tellicherry. .. Workman

Representations:—

Sri M. P. Govindan Nambiar, Advocate, Tellicherry. .. For *the Management*

Sri M. Karunakaran Nambiar, Advocate, Cannanore. .. For *the Workman*

AWARD

1. This Industrial Dispute between the above parties regarding the denial of employment to Sri K. Raghavan from 30-11-1979 was referred to this Court for adjudication as per G. O. Rt. No. 670,81/LBR dated 22-5-1981. The case was taken on file and notices were issued to the parties. They entered appearance and filed statements.

2. In his claim statement, the workman contends that he was appointed as a clerk under the management society on 20-11-1975. The same was approved by the Deputy Registrar of Co-operative Societies (General,) Cannanore. The workman states that during his tenure of service he had discharged his duties sincerely. On 6-12-1979 the management issued a termination notice to the workman stating that since the financial position of the society was not sound and the services of the workman was not satisfactory, they are compelled to terminate the service of the workman. According to the workman, the financial crisis is only an excuse to get rid of the workman and only to victimise and harass him. Against the order of the management, the workman filed an appeal before the Board of Directors to review the so called termination notice. As the Board did not consider his appeal for sufficiently long time the workman filed a complaint before the District Labour Officer on 15-1-1980. The workman received a letter on 21-1-1980 from the management, informing him that the previous order of termination has been cancelled and he should rejoin duty. He did not turn up as the date of order was on 14-1-1980 but the letter was received only on 21-1-1980. He sent a reply that as the matter was now pending before the Labour Department, he was not in a position to rejoin duty before a final adjudication in the matter. The workman submits that the termination of his service was illegal and that he is entitled to reinstatement with backwages and all other benefits.

3. The management in their counterstatement denies that all the allegations and averments in the statement of the workman. It is stated that there is no paid Secretary for the society and the society cannot afford to have a paid Secretary at present. The allegation that the workman was only the qualified man to fill the post of secretary is not correct. The management submits that the workman is not qualified to hold the post of secretary of the society. Against the termination order, the workman preferred an appeal to the Board of Directors and the Board of Directors considered and found the same was wrong and invalid since it was in violation of the principles of natural justice. The order of the Board of Directors was communicated to the workman and he was asked to rejoin duty within 2 days of the receipt of the order. Even after the receipt of the order he did not join duty. The pendency of complaint before the conciliation officer is no ground for non complying with the order to. rejoin duty. The management submits that the workman can rejoin duty even now. The management reliably understands that the workman was working in other concerns and he did not comply with the order of reinstatement. It is prayed that the court may be passed an award accepting all the contentions of the Society.

4. The workman filed a rejoinder denying the averments in the counter-statement of management.

5. The issue that arises for consideration is whether the denial of employment to Sri K. Raghavan from 30-11-1979 is justified.

6. Issue:—When the case came up before me, counsel for the management has stated that the workman can rejoin duty at any time. Hence I directed the workman to be present in camp court on 10-3-1983. On 10-3-1983, counsel for the workman frankly admitted that the workman is not present since he is out of the country. The counsel for management has stated that an award may be passed directing the management to reinstate the workman if he appears before the management within a time stipulated by this court. Hence I direct the management to reinstate the workman with backwages if he presents himself before the management within 2 months from the date of publication of this award in the official gazette.

Dictated to the Confidential Assistant, transcribed by him, revised corrected and passed by me on the 28th day of March, 1983.

HAJEE P. A. SHAHUL HAMEED,
Presiding Officer.
Labour Court

Kozhikode.

Kerala Gazette No. 30 dated 26th July 1983
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O (Rt.) No 650/83/LBR. *Dated, Trivandrum, 10th June 1983.*

The award of the Labour Court, Kozhikode in respect of the dispute between the President, Kottooli Goir Vyavasaya Go-operative Society Ltd., P. O. Kottooli, Kozhikode-16 and their workman Sri M. Viswanathan, Karambath House, P. O. Kottooli, Kozhikode-16 received by Government on 26-4-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Kozhikode, Kerala State

Dated, this the 11th day of April, 1983

Present:

SHRI HAJEE P. A. SHAHUL HAMEED, B.A., B.L.,

Presiding Officer

INDUSTRIAL DISPUTE No. 9/83

Between:

The President, Kottooli Goir Vyavasaya Co-operative Society Ltd., P. O. Kottooli, Kozhikode-16 .. *Management*

And

Sri M. Viswanathan, Karambath House, P. O. Kottooli, Kozhikode-16. .. *Workman*

AWARD

1. This Industrial Disputes was referred for adjudication to this Court by the Government as per G. O. Rt. No. 68/83/LBR dated 20-1-1983 regarding the dismissal of the Business Manager by name Viswanathan from the services of the Kottooli Goir Vyavasaya Go-operative Society Ltd.,

Kottoli, Calicut-16 w. e. f. 21-2-1979. It was taken on file by this court and summons were issued to both parties directing them to appear on 18-4-1983.

2. Today this Court received a registered letter from the dismissed employee stating that since he has filed an appeal under the Kerala Shops and Commercial Establishments Act, he is not pressing this dispute before this court.

3. In view of the statement this dispute is closed without in any way prejudicing to his right to challenge his dismissal before the Appellate Authority established under the Kerala Shops and Commercial Establishments Act. This award will come into force 30 days after its publication in the Official Gazette.

Dictated to the Bench Clerk, in long hand revised and corrected by me on the 11th day of April 1983.

HAJEE P. A. SHAHUL HAMEED,
Presiding Officer,
Labour Court, Kozhikode.

Kerala Gaxette No. 30 dated 26th July 1983

PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 293/83/LBR. *Dated, Trivandrum, 16th March, 1983.*

The award of the Industrial Tribunal Calicut in respect of the dispute between The Secretary, Koduvayur Service Co-operative Bank Limited, No. F. 1220, Koduvayur, Palghat District and their workman Shri R. D. Vijayan, Thachanuchikkal, Vilayanchathannur P. O., Vilayannur, Alathur Taluk, Palghat District received by Government on 5/3/1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

K. SIVADASAN,

Deputy Secretary to Government.

BEFORE THE COURT OF THE INDUSTRIAL TRIBUNAL, CALICUT

(Saturday, the 26th day of February, Nineteen hundred and eighty three.)

Present:

SHRI K. P. DEVADAS, B. A., B. L.,

.. *Industrial Tribunal, Calicut*

INDUSTRIAL DISPUTE No. 41/75

Between

THE SECRETARY,
Koduvayur Service Co-operative Bank Limited, No. F. 1220,
Koduvayur, Palghat District

And

SHRI R. D. VIJAYAN,
Thachanuchikkal, Vilayanchathannur P. O., Vilayannur, Alathur
Taluk, Palghat District.

AWARD

The High Court by its judgement dated 5th November, 1980 has remanded the award passed in this case with an observation that the aspects to be considered in the matter of dismissal of the delinquent employee as far as the second charge is concerned in upholding the dismissal.

2. Their Lordships has stated in the remand order that they did not want to interfere with the findings on charge No. 1, but, since the several aspects of the second charge in upholding the dismissal, were not considered properly, those aspects are to be considered afresh giving a chance to adduce further evidence.

3. Since the charge on the first point, viz., disobedience to authorities in giving the charge to a person directed by the authority and instead, giving charge to a stranger, and the upholding of the punishment with the management is not upheld by the High Court, I am not supposed to go to the merits of the first charge and the punishment imposed.

4. The second charge is that the workman herein was found liable for the shortage of Rs. 16,905.75 worth stock as it was revealed by the physical verification of the stock on 5-10-1971, by Ex. M1 document.

5. The case of the management is that the worker Shri Vijayan was the rice mill Manager of the Society for the period from 9-9-1977 to the date of dismissal. In the year 1971 when the physical verification was done by the then Administrator Shri Krishnan kutty a deficit of huge quantity of rice was found, as a result of which on 31-1-1971 the workman was suspended. Prior to that he was under suspension for a short period and it was ordered by the administrator while the Board was superseded by the department. Later on 25-5-1971, the workman was reinstated in service by the president, taking advantage of the interim stay order passed by the High Court in the matter of supersession. After framing charges the workman was dismissed from service finding him guilty of the shortage of the rice under his control.

6. When the case was remanded the then administrator was again examined before me. No other oral evidence was adduced by either side.

7. The contention of the workman is that he is not responsible for the shortage of rice which was kept in the mill for reason that the major portion of the paddy was procured in the month of 'Kanni' (M.E.) which would be usually with a good percentage of moisture and which was later hulled to rice. Further more before the appropriate date of stock taking during the year 1971 the Bank was kept closed for two or more months as a result of some conflict between the Board of Directors, Secretary and the Department. It is the contention of the workman that there was no pest-proof room for keeping paddy or rice in the mill and by these reasons there is a possibility of shortage in the weight of the paddy or rice.

8. The main question to be considered is whether the workman could be held liable for the shortage noted by the Administrator. To come to a conclusion, the circumstances of the case, the conduct of the parties and also the oral evidence and documentary evidences are to be analysed.

9. The first witness on the side of the Management, the Senior Inspector Mr. K. M. Krishnan kutty had deposed that while he was in the Bank on 17-6-1977, the branch manager of the mill was suspended by Ext. M1 order for certain irregularities and for the shortage found in the stock of rice and paddy in the mill. The deficit was found out from Ext. M-1(2) Stock Verification Report. In the chief examination he speaks: "നെല്ലിലും അരിയിലും മില്ലിലുണ്ടായിരുന്ന stock—ൽ അസാധാരണമായ കുറവ് കണ്ടു. He added that no document was produced by the management side to prove the mill Manager's responsibilities and duties. He also admits that—stock verification നടത്തുന്നതിനു മുമ്പു വരെ മിൽ പൂട്ടിക്കിടക്കുകയായിരുന്നു. മിൽ പൂട്ടിയിട്ടത് അന്നത്തെ കമ്മററിയും department—ം തമ്മിലുള്ള അഭിപ്രായവ്യത്യാസം കൊണ്ടാണ്. കന്നിയിൽ നെല്ല് ലെവി വന്നാൽ 3, 4 മാസംകൊണ്ട് അരിയായി പോവും. 1970 കന്നിയിൽ കൊടുത്ത നെല്ലാണോ stock verification നടത്തിയത് എന്ന് എനിക്കറിയില്ല."

Again on 30-3-1982 after the remand order he was examined and in chief he says: "ഈ കേസിന്നാസ്പദമായ shortage Rs. 16905.73 യുടെ stock അത്രയും shortage വന്നത് abnormal ആണ്. Procure ചെയ്തത് നല്ല quality നെല്ലായിരുന്നു. ഗോഡൗണും നല്ലതായിരുന്നു. മകരത്തിലെ crop ആയാണ് procure ചെയ്തത്. നനവുള്ളതുകൊണ്ട് shortage വരാൻ വഴിയില്ല. എലിയും ചാഴിയും നശിപ്പിച്ചാൽ തന്നെ അര (½)% മാത്രമേ വരുകയുള്ളൂ.

In cross examination verify ചെയ്ത stock 1970—ലെ കന്നി crop—ഉം 71-ലെ മകരം crop-ഉം ആണ്. കന്നിയിലെ crop ന് Moisture contents അധികമാണ്. കന്നിയിലേയും മകരത്തിലേയും crop എത്രയെന്ന് പ്രത്യേകം പ്രത്യേകം പറയാൻ പററില്ല. procurement കഴിഞ്ഞശേഷം Bank 4 മാസക്കാലത്തോളം പൂട്ടിയിട്ടു. ഈ നാലു മാസക്കാലത്തോളം stock ചെയ്ത നെല്ല് ഉണക്കാനോ move ചെയ്യാനോ സാധിച്ചില്ല. ബാങ്ക് പൂട്ടിയിട്ടത് മഴക്കാലത്താണോ വേനൽക്കാലത്താണോ എന്നറിയില്ല. പൂട്ടിയിട്ട നെല്ല് നല്ല quality നെല്ലല്ലെങ്കിൽ ഈ നാലുമാസക്കാലത്തിനിടയ്ക്ക് പൂപ്പൽ പിടിക്കാൻ chance ഉണ്ട്. അരിയുണ്ടായിരുന്നത് repolish ചെയ്യാനുള്ള കാരണം അരിക്കും പൂപ്പൽ പിടിച്ച കാരണമാണ്. രണ്ടാമതും liability fix ചെയ്തപ്പോൾ repolish ചെയ്തെടുത്ത അരിയുടെ തൂക്കം നോക്കിയിട്ടില്ല. Stock verification Officer ആണ് തൂക്കം നോക്കി liability fix ചെയ്തത്. ഇപ്പോൾ സംഭവിച്ചത് abnormal deficit ആണ്."

10. Shri K. Rajappan was examined as 3rd witness for the management, who has spoken about the stock verification statement Ext. M2. In the cross-examination he states that the shortage was abnormal and that since the stock was kept for a long time there was a chance of shortage is incorrect. He speaks about the facilities of the godown.

അവിടെ പക്കാ Godown ഉണ്ട്. 2 മുറികളാണ് ഉള്ളത്. എല്ലാം സൂക്ഷിക്കുന്നതിലാണ്. Engine room നടുത്ത് പുഴുങ്ങിയ നെല്ലിടും.''

For a question whether there was any pest proof room in the godown the answer is ''വില്ലേജിൽ ഒരു സൊസൈറ്റിക്കും അത്തരം Godown ഇല്ല.''

11. On the side of the workman four witnesses were examined including the workman himself. The first witness is the workman concerned, himself, who speaks about the running of the mill and about his suspensions and reinstatement. After the first suspension he was reinstated on 25-5-1971 while the president got an interim injunction from the High Court and again he was suspended on 9-10-1971 when he took charge in accordance with the order of the President on 25-5-1971. The rice and paddy was fungus affected and was in a bad condition and actual physical verification was made at the time of taking charge. According to him the shortage was due to improper stocking of rice and paddy and also due to moisturous nature of stockage which was procured in the previous Kanni (M. E.) in the previous year. The second witness of the workman is one Appukuttan who was the person who took charge from him while he was suspended on 31-1-1971. He also admits that no physical verification was made regarding the stock at the time of taking charge from the workman Mr. Vijayan or at the time of giving charge to him after reinstatement. He also admits that

''എന്റെ കാലത്താണ് shortage ഉണ്ടായത് എന്നു പറഞ്ഞാൽ നിഷേധിക്കാനാവില്ല.''

12. The third witness on the side of the worker is Mr. Gopalakrishnan, who had been the President of the Society from 1952 to 1970, and for a short time in 1971 also. He speaks that nothing could be found out against the worker while he was the President for the previous 5 years and he adds that afterwards the reinstatement of the workman, on inspection of the godown, he found that the stock of rice and paddy kept there was in a bad condition. According to him there will be heavy loss or shortage if that stock was made to keep for a considerable time.

13. From the above averments and facts it can be seen that the authorities had fixed the liability of shortage on the worker in the light of the actual shortage of grains found out at the time of inspection. From their versions it can be seen that they came to the conclusion in deriving them the difference of actual shortage by taking the stock that should have been there and the stock found on verification. The special circumstances that the bank was kept closed for 2 or 4 months which is admitted by the management also is to be taken into account in this context. Further more the procurement of levy of Kanni crop which would clearly contain a good percentage of moisture and the room used to keep the stock was not a pesticides proof will count so much in the matter of shortage according to him, in this matter. All the witnesses spoken on the side of the management says unanimously that the shortage was 'abnormal'. Regarding the "actual normal shortage", no one of them could say anything. The fact that the moisture contained stock, lack of pesticides

proof godown, keeping the grains in the godown untouched for a long time will play a good role in the matter of shortage in the special circumstances of this case. Nobody could give any data regarding the margin to be given to such peculiar phenomena. Anyway the workman cannot shift the responsibility to another person to whom charge was given while he was suspended first as it was found unauthorised giving of charge, and also since he has not verified the stock to take charge after he came back from suspension.

14. For the charge of shortage of stock in the godown against the workman the management should have proved guilty against the workman after fixing up the actual liability, after deducting the shortage that might have happened by reason of keeping it for a long time in a moistured condition in a primitive typed godown. The department had used an unscientific method to arrive at the data of liabiilty. Until and unless a clear shortage is proved against the workman he cannot be found guilty of the charge. There may be some guilty on the part of the workman which is not proved beyond doubt by the management. The secretary of the Society who have immediate control over the mill godown and who could inspect the mill periodically, surprisingly did not do it for reasons unknown. So much so the management miserably failed to establish the clear cut charge against the workman for the alleged deficit.

15. In short, taking into consideration the observations of their Lordships, the workman is punishable for the first charge while no punishment can be imposed against him for the second charge.

16. So the fact that he is out of job for the last 11 years would be a suitable punishment against him for the first charge of disobedience to the authorities in the matter of giving charge an unauthorised person instead of the person direct by the authorities. In the circumstances it would be only fair and proper if I reinstate him from the date of award without any backwages. I do so. An award is passed accordingly.

K. P. DEVADAS,
Industrial Tribunal.

APPENDIX

Witnesses examined on the side of the worker:

WW1. T. D. Vijayan.
WW2. P. V. Appukuttan.
WW3. T. V. Gopalakrishnan.

Witnesses examined on the side of the management:

MW1. K. M. Krishnan Kutty.
MW2. T. K. Balan.
MW3. K. Rajappan.
MW4. K. Bhaskaran.

Exts. Marked on the side of the worker:

W1. Letter dated 8-9-1967 from the Bank to the workman.
W2. Letter dated 25-5-1971 from the Bank to the workman.
W3. Letter dated 25-5-1971 from the Bank to the workman.
W4. Letter dated 26-6-1971 from K. C. Sukumaran, Director.
W5. Letter dated 1-7-1971 from Vijayan.
W6. Letter dated 12-6-1971 from Vijayan.
W7. Letter dated 16-8-1971 from Vijayan.
W8. (Series 3 in Nos.) Postal acknowledgement cards.
W9. Letter dated 9-4-1973 from the Bank to the worker.
W10. Letter dated 12-7-1972 from K. Rajappan, Senior Auditor to P. V. Appukuttan.
W11. Letter dated 23-7-1972 from the Administrator to P. V. Appukuttan.

Exts. marked on the side of the management:

M1. Proceedings dated 9-10-1971 of Administrator.
M2. Annual Physical verification statement as on 9-10-1971.
M3. Letter dated 29-6-1972 from the Bank to the worker.
M4. Enquiry report dated 12-3-1973.
M5. D. O. Nos. C. S. 414/72/28-6-1972 from K. Sukumara Menon to T. K. Balan.
M6. Letter dated nil from K. Rajappan to Deputy Registrar of Co-operative Societies.
M7. List of articles taken charge by P. K. Arumughan.
M8. Entry in Page 207 of register of proceedings.
M9. Entry in Page 208 of register of proceedings.
M10. Reply of T. D. Vijayan dated 3-7-1972.
M11. Proceedings of the administrator dated 9-10-1971.
M12. Extract of articles taken by Shri P. K. Arumugham.
M13. Letter dated 4-3-1972 from the Bank.
M14. Letter dated 11-3-1972 from T. D. Vijayan to the Bank.
M15. Charge Memo dated 6-2-1971 to the worker.
M16. Letter dated 18-12-1970 from Bank to the worker.
M17. Letter dated 15-9-1971 from Bank to the worker.
M18. Letter dated 8-2-1971 from T. D. Vijayan to the Bank.
M19. Letter dated 29-12-1970 from the Bank to the worker.
M20. Letter dated 1-2-1971 from the worker to the Bank.
M21. Letter dated 30-1-1971 from the Secretary of the Bank to the Manager of Sri Ram Rice Mills.
M22. Letter dated 30-1-1971 from the Bank to T. D. Vijayan.

കേരളസർക്കാർ

നിയമ (നിയമനിർമ്മാണം-ബി) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 19795/ലഗ്. ബി2/82/നിയമം. തിരുവനന്തപുരം, 1983 ഫെബ്രുവരി 7
1904 മാഘം 18.

1983 ഫെബ്രുവരി 4-ാം തീയതി ഗവർണ്ണർ വിളംബരപ്പെടുത്തിയ താഴെ പറയുന്ന ഓർഡിനൻസ് പൊതുജനങ്ങളുടെ അറിവിലേക്കായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു.

ഗവർണ്ണരുടെ ഉത്തരവുപ്രകാരം,
കെ. വിശ്വനാഥൻ നായർ,
സ്പെഷ്യൽ സെക്രട്ടറി (നിയമം).

1983-ലെ 4-ാം നമ്പർ ഓർഡിനൻസ്

1983-ലെ കേരള പൊതു കെട്ടിട (അനധികൃത കൈവശക്കാരെ ഒഴിപ്പിക്കൽ) ഭേദഗതി ഓർഡിനൻസ്

ഇൻഡ്യൻ റിപ്പബ്ലിക്കിന്റെ മുപ്പത്തിനാലാം സംവൽസരത്തിൽ കേരള ഗവർണ്ണർ പുറപ്പെടുവിച്ചത്.

1968-ലെ കേരള പൊതു കെട്ടിട (അനധികൃത കൈവശക്കാരെ ഒഴിപ്പിക്കൽ) ആക്റ്റ് വീണ്ടും ഭേദഗതി ചെയ്യുന്നതിനുള്ള ഒരു ഓർഡിനൻസ്.

പീഠിക.—കേരള നിയമസഭ സമ്മേളനത്തിൽ അല്ലാത്തതിനാലും സത്വര നടപടികൾ സ്വീകരിക്കേണ്ട പരിതഃസ്ഥിതികൾ നിലവിലുണ്ടെന്ന് കേരള ഗവർണ്ണർക്ക് ബോദ്ധ്യം വന്നിരിക്കുന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, കേരള ഗവർണ്ണർ ഇൻഡ്യൻ ഭരണഘടനയുടെ 213-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് താഴെ പറയുന്ന ഓർഡിനൻസ് പുറപ്പെടുവിക്കുന്നു:—

1. ചുരുക്കപ്പേരും പ്രാരംഭവും.—(1) ഈ ഓർഡിനൻസിന് 1983-ലെ കേരള പൊതു കെട്ടിട (അനധികൃത കൈവശക്കാരെ ഒഴിപ്പിക്കൽ) ഭേദഗതി ഓർഡിനൻസ് എന്നു പേർ പറയാം.

(2) ഇത് ഉടൻതന്നെ പ്രാബല്യത്തിൽ വരുന്നതാണ്.

2. 1968-ലെ 25-ാം ആക്ററ് താൽക്കാലികമായി ഭേദഗതി ചെയ്യണമെന്ന്.—ഈ ഓർഡിനൻസ് പ്രാബല്യത്തിലിരിക്കുന്ന കാലത്ത് 1968-ലെ കേരള പൊതു കെട്ടിട (അനധികൃത കൈവശക്കാരെ ഒഴിപ്പിക്കൽ) ആക്ററ് (1968-ലെ 25) (ഇതിനുശേഷം പ്രധാന ആക്ററ് എന്നായിരിക്കും പരാമർശിക്കപ്പെടുക), 3 മുതൽ 9 വരെ വകുപ്പുകളിൽ (രണ്ടും ഉൾപ്പെടെ) പറഞ്ഞിരിക്കുന്ന ഭേദഗതികൾക്ക് വിധേയമായിട്ടായിരിക്കും പ്രാബല്യത്തിൽ ഉണ്ടായിരിക്കുന്നത്.

3. 2-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്ററ്, 2-ാം വകുപ്പിൽ—

(1) (എ) എന്ന ഖണ്ഡം (എഎഎ) എന്ന് ആക്കേണ്ടതും ആ ഖണ്ഡത്തിന് മുൻപായി താഴെ പറയുന്ന ഖണ്ഡം ചേർക്കേണ്ടതുമാണ്; അതായത്:—

"(എ) "കമ്പനി" എന്നാൽ, അടച്ചുതീർത്ത ഓഹരിമൂലധനത്തിന്റെ അൻപത്തൊന്നു ശതമാനത്തിൽ കുറയാതെ കേരള സർക്കാരോ കേന്ദ്ര സർക്കാരും കേരള സർക്കാരും സംയുക്തമായോ ഓഹരി എടുത്തിട്ടുള്ള ഒരു കമ്പനി എന്ന് അർത്ഥമാകുന്നതും, അങ്ങിനെയുള്ള ഏതെങ്കിലും കമ്പനിയുടെ ഒരു സഹായ കമ്പനി അതിൽ ഉൾപ്പെടുന്നതുമാകുന്നു.

(എഎ) "കോർപ്പറേഷൻ" എന്നാൽ ഏതെങ്കിലും കേന്ദ്ര ആക്ററ് മൂലമോ അതിൻകീഴിലോ അല്ലെങ്കിൽ ഏതെങ്കിലും സംസ്ഥാന ആക്ററ് മൂലമോ അതിൻകീഴിലോ സ്ഥാപിക്കുകയോ രൂപവൽക്കരിക്കുകയോ ചെയ്തിട്ടുള്ളതും കേരള സർക്കാരിന്റെ ഉടമസ്ഥതയിലോ നിയന്ത്രണത്തിലോ ഉള്ളതുമായ ഒരു കോർപ്പറേഷൻ എന്നർത്ഥമാകുന്നു;".

(2) (ഡി) ഖണ്ഡത്തിലെ പ്രാരംഭ ഖണ്ഡികയിൽ "ഒരു തദ്ദേശാധികാരസ്ഥാനമോ" എന്നതിനുശേഷം ഒരു കമ്പനിയോ അഥവാ ഒരു കോർപ്പറേഷനോ എന്ന് ചേർക്കേണ്ടതാണ്.

4. 3-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്ററ് 3-ാം വകുപ്പിൽ (എ) എന്ന ഖണ്ഡത്തിന്റെ ക്ലിപ്ത നിബന്ധനയ്ക്കു പകരം താഴെ പറയുന്ന ക്ലിപ്ത നിബന്ധന ചേർക്കേണ്ടതാണ്, അതായത്:—

"എന്നാൽ

(i) ഒരു തദ്ദേശാധികാരസ്ഥാനത്തിന്റെ സംഗതിയിൽ, പ്രസ്തുത തദ്ദേശാധികാരസ്ഥാനത്തിന്റെ എക്സിക്യൂട്ടീവ് അധികാരസ്ഥനേയും;

(ii) ഒരു കമ്പനിയുടെ അല്ലെങ്കിൽ കോർപ്പറേഷൻ സംഗതിയിൽ, ആ കമ്പനിയുടെ അല്ലെങ്കിൽ കോർപ്പറേഷന്റെ ഒരു ആഫീസറേയും;

എസ്റേററ് ആഫീസറായി നിയമിക്കേണ്ടതാകുന്നു";

5. 6-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്ററ്, 6-ാം വകുപ്പ്, (2)-ാം ഉപവകുപ്പിൽ, "ആ തദ്ദേശാധികാരസ്ഥാനമോ" എന്നീ വാക്കുകൾക്ക് ശേഷം "ആ കമ്പനിയോ അഥവാ ആ കോർപ്പറേഷനോ" എന്നീ വാക്കുകൾ ചേർക്കേണ്ടതാണ്.

6. 12-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്ററ്, 12-ാം വകുപ്പ്, (2)-ാം ഉപവകുപ്പിൽ, "അല്ലെങ്കിൽ ഒരു തദ്ദേശാധികാരസ്ഥാനത്തിന്" എന്നീ വാക്കുകൾക്ക് പകരം "അല്ലെങ്കിൽ ഒരു തദ്ദേശാധികാരസ്ഥാനമോ ഒരു കമ്പനിയോ അഥവാ ഒരു കോർപ്പറേഷനോ" എന്നീ വാക്കുകൾ ചേർക്കേണ്ടതാണ്.

7. 13-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്റ്റ്, 13-ാം വകുപ്പിൽ "അല്ലെങ്കിൽ ഒരു തദ്ദേശാധികാരസ്ഥാനത്തിന്" എന്നീ വാക്കുകൾക്ക് പകരം "അല്ലെങ്കിൽ ഒരു തദ്ദേശാധികാരസ്ഥാനത്തിനോ ഒരു കമ്പനിയ്ക്കോ അഥവാ ഒരു കോർപ്പറേഷനോ" എന്നീ വാക്കുകൾ ചേർക്കേണ്ടതാണ്.

8. 14-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്റ്റ്, 14-ാം വകുപ്പിൽ "ആ തദ്ദേശാധികാരസ്ഥാനം" എന്നീ വാക്കുകൾക്കുശേഷം, "ആ കമ്പനി അഥവാ കോർപ്പറേഷൻ" എന്നീ വാക്കുകൾ ചേർക്കേണ്ടതാണ്.

9. 17-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്റ്റ്, 17-ാം വകുപ്പിൽ, "അഥവാ ഒരു തദ്ദേശാധികാരസ്ഥാനം" എന്നീ വാക്കുകൾക്കുശേഷം അഥവാ "ഒരു കമ്പനി അല്ലെങ്കിൽ കോർപ്പറേഷൻ" എന്നീ വാക്കുകൾ ചേർക്കേണ്ടതാണ്.

പി. രാമചന്ദ്രൻ,
ഗവർണ്ണർ.

(ശരിത്തർജ്ജമ)

പി. ജഗദമ്മ,
അഡീഷണൽ ഹെഡ് ട്രാൻസ്ലേറ്റർ.

കേരള സർക്കാർ

നിയമ (ലെജ്. എ) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 14858/ലെജ്. എ2/82/നിയമം, തിരുവനന്തപുരം, 1982 ഒക്ടോബർ 14/1994 അശ്വിനം 22.

1982 ഒക്ടോബർ 12-ാം തീയതി ഗവർണ്ണർ വിളംബരപ്പെടുത്തിയ താഴെ പറയുന്ന ഓർഡിനൻസ് പൊതുജനങ്ങളുടെ അറിവിനായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു.

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,
കെ. വിശ്വനാഥൻ നായർ,
നിയമവകുപ്പ് സ്പെഷ്യൽ സെക്രട്ടറി.

1982-ലെ 5-ാം നമ്പർ ഓർഡിനൻസ്

1982-ലെ കേരള പൊതുവിൽപ്പന നികുതി (ഭേദഗതി) ഓർഡിനൻസ്

ഇൻഡ്യൻ റിപ്പബ്ലിക്കിന്റെ മുപ്പത്തിമൂന്നാം സംവത്സരത്തിൽ കേരള ഗവർണ്ണർ വിളംബരപ്പെടുത്തിയത്.

1963-ലെ കേരള പൊതു വിൽപ്പന നികുതി ആക്ട് വീണ്ടും ഭേദഗതി ചെയ്യുന്നതിനുള്ള ഒരു ഓർഡിനൻസ്.

പീഠിക.—കേരള സംസ്ഥാന നിയമസഭ സമ്മേളിച്ചിട്ടില്ലാത്തതിനാലും, സത്വര നടപടി എടുക്കേണ്ട സാഹചര്യങ്ങൾ നിലവിലുണ്ടെന്ന് കേരള ഗവർണ്ണർക്ക് ബോദ്ധ്യം വന്നിരിക്കുന്നതിനാലും ;

ഇപ്പോൾ, അതിനാൽ, ഇൻഡ്യൻ ഭരണഘടന 213-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, കേരള ഗവർണ്ണർ താഴെപ്പറയുന്ന ഓർഡിനൻസ് വിളംബരപ്പെടുത്തുന്നു :—

1. ചുരുക്കപ്പേരും പ്രാരംഭവും.—(1) ഈ ഓർഡിനൻസിന് 1982-ലെ കേരള പൊതു വിൽപ്പനനികുതി (ഭേദഗതി) ഓർഡിനൻസ് എന്നു പേർ പറയാം.

(2) 3-ാം വകുപ്പിന്റെ (എ) യും (ബി) യും ഖണ്ഡങ്ങളും 4-ം, 5-ം, 6-ം, 7-ം, 8-ം, 9-ം വകുപ്പുകളും 1982 ഏപ്രിൽ 1-ാം തീയതി മുതൽ പ്രാബല്യത്തിൽ വന്നതായി കണക്കാക്കേണ്ടതും, ഈ ഓർഡിനൻസിന്റെ ശേഷിച്ച വ്യവസ്ഥകൾ ഉടനടി പ്രാബല്യത്തിൽ വരുന്നതും ആകുന്നു.

2. 1963-ലെ 15-ാം ആക്ററ് താൽക്കാലികമായി ഭേദഗതി ചെയ്യേണ്ടതാണ്.—ഈ ഓർഡിനൻസ് നിലവിലിരിക്കുന്ന കാലയളവിൽ 1963-ലെ കേരള പൊതു വിൽപ്പന നികുതി ആക്ടിന് (1963-ലെ 15) (ഇതിനുശേഷം പ്രധാന ആക്ട് എന്നാണ് പരാമർശിക്കപ്പെടുക) 3 മുതൽ 11 വരെയുള്ള വകുപ്പുകളിൽ പ്രത്യേകം പറഞ്ഞിട്ടുള്ള ഭേദഗതികൾക്കു വിധേയമായി പ്രാബല്യം ഉണ്ടായിരിക്കുന്നതാണ് :

3. 5-ാം വകുപ്പിൻെറ ഭേദഗതി.—പ്രധാന ആക്ററിൻെറ 5-ാം വകുപ്പിൽ,—

(എ) (1)-ാം ഉപവകുപ്പിൽ, "അസതിനായിരം രൂപ" എന്ന വാക്കുകൾക്കു പകരം "എഴുപത്തയ്യായിരം രൂപ" എന്ന വാക്കുകൾ ചേർക്കേണ്ടതാണ്.

(ബി) (2)-ാം ഉപവകുപ്പിൽ, "പതിനയ്യായിരം രൂപ" എന്ന വാക്കുകൾക്കു പകരം "ഇരുപത്തയ്യായിരം രൂപ" എന്ന വാക്കുകൾ ചേർക്കേണ്ടതാണ് ;

(സി) (3)-ാം ഉപവകുപ്പിനു ശേഷം, താഴെ പറയുന്ന ഉപവകുപ്പ് ചേർക്കേണ്ടതാണ്, അതായത്:—

"(3 എ) (1)-ാം ഉപവകുപ്പിലോ (2)-ാം ഉപവകുപ്പിലോ എന്തുതന്നെ അടങ്ങിയിരുന്നാലും, ഒന്നാം പട്ടികയിൽ പ്രത്യേകം പറഞ്ഞിട്ടുള്ളതും നാലു ശതമാനത്തിൽ കവിഞ്ഞ നിരക്കിൽ നികുതി ചുമത്താൻ ബാദ്ധ്യസ്ഥവുമായ ചരക്കുകളുടെ ഏതെങ്കിലും വിൽപ്പന സംബന്ധിച്ച് ഒരു വ്യാപാരി നൽകേണ്ട നികുതി, പ്രസ്തുത വ്യാപാരി മററൊരാൾക്ക്, (3)-ാം ഉപവകുപ്പിൻെറ വിശദീകരണത്തിൽ നിർവ്വചിച്ചിട്ടുള്ള ഭാഗമല്ലാത്തതും വിൽപ്പനയ്ക്കായി സംസ്ഥാനത്തിനുള്ളിൽ നിർമ്മിക്കാനുദ്ദേശിക്കുന്നതും, പ്രസ്തുത പട്ടികയിൽ പരാമർശിച്ചിട്ടുള്ള മറേറതെങ്കിലും ചരക്കിൻെറ ഘടകഭാഗമായും, രണ്ടാമത്തെ വ്യാപാരിക്ക് ഉപയോഗിക്കുന്നതിനുവേണ്ടി വിൽക്കുമ്പോൾ, പ്രസ്തുത വിൽപ്പന സംബന്ധിച്ച നികുതി ചുമത്താവുന്ന മൊത്ത വിൽപ്പനയുടെ നാലു ശതമാനം നിരക്കിൽ മാത്രം ആയിരിക്കേണ്ടതാണ്;

എന്നാൽ ചരക്കുകൾ ആർക്കാണോ വിൽക്കുന്നത്, ആ വ്യാപാരി യഥാവിധി പൂരിപ്പിച്ചതും ഒപ്പിട്ടതും നിർദ്ദിഷ്ട ഫാറത്തിലുള്ളതുമായ ഒരു പ്രഖ്യാപനം, ചരക്കുകൾ വിൽക്കുന്ന വ്യാപാരി, അസസ് ചെയ്യുന്ന അധികാരിക്ക് നിർദ്ദിഷ്ട രീതിയിൽ നൽകാത്തപക്ഷം, ഈ ഉപവകുപ്പിലെ വ്യവസ്ഥകൾ യാതൊരു വിൽപ്പനയ്ക്കും ബാധകമാകുന്നതല്ല :

എന്നുതന്നെയുമല്ല, വിൽക്കപ്പെട്ട ചരക്കുകൾ പ്രസ്തുത വിശദീകരണത്തിൽ നിർവ്വചിക്കപ്പെട്ടതുപോലെയുള്ള ഘടകഭാഗമല്ലാത്ത ഒന്നാം പട്ടികയിൽ പ്രത്യേകം പറഞ്ഞിട്ടുള്ള ഏതെങ്കിലും ചരക്കുകളുടെ ഘടകഭാഗമായി ഉപയോഗിക്കുവാൻ കഴിയുന്നതായിരിക്കേണ്ടതാണ്;"

(ഡി) (6)-ാം ഉപവകുപ്പിനു ശേഷം, താഴെ പറയുന്ന ഉപവകുപ്പ് ചേർക്കേണ്ടതാണ്, അതായത്:—

"(7) (1)-ാം ഉപവകുപ്പിലോ (2)-ാം ഉപവകുപ്പിലോ എന്തുതന്നെ അടങ്ങിയിരുന്നാലും, നാലു ശതമാനത്തിൽ കവിഞ്ഞ ഒരു നിരക്കിൽ നികുതി ചുമത്തുവാൻ ബാദ്ധ്യസ്ഥമായ എന്തെങ്കിലും വ്യാവസായിക അസംസ്കൃത വസ്തുക്കൾക്കോ, പാക്കിംഗ് വസ്തുക്കൾക്കോ, അതാതു സംഗതിപോലെ, വിൽപ്പനയ്ക്കായി സംസ്ഥാനത്തിനുള്ളിൽ നിർമ്മിത വസ്തുക്കളുടെ ഉൽപ്പാദനത്തിനായി ഉപയോഗിക്കുന്നതിന് വേണ്ടിയോ, അല്ലെങ്കിൽ വിൽപ്പനയ്ക്കായി സംസ്ഥാനത്തിനുള്ളിൽ അങ്ങനെയുള്ള നിർമ്മിത വസ്തുക്കളുടെ പാക്കിംഗിനുവേണ്ടിയോ വ്യാവസായിക യൂണിററുകൾക്ക് വിൽക്കുമ്പോൾ, ഒരു വ്യാപാരി നൽകേണ്ട നികുതി, അതതു സംഗതിപോലെ, അങ്ങനെയുള്ള വ്യാവസായിക

അസംസ്കൃത വസ്തുക്കളെ സംബന്ധിച്ചോ അല്ലെങ്കിൽ പാക്കിംഗ് വസ്തുക്കളെ സംബന്ധിച്ചോ നികുതി ചുമത്തേണ്ട മൊത്തവിൽപ്പനയുടെ നാലു ശതമാനം എന്ന നിരക്കിൽ മാത്രമായിരിക്കേണ്ടതാണ്.

എന്നാൽ ഈ ആക്ടിൻകീഴിലോ അഥവാ 1956-ലെ കേന്ദ്ര വിൽപ്പന നികുതി ആക്ടിൻകീഴിലോ (1956-ലെ 74-ാം കേന്ദ്ര ആക്ട്) അങ്ങനെയുള്ള നിർമ്മിത വസ്തുക്കളുടെ വിൽപ്പന, നികുതിക്കു ബാധകമാകാത്ത സംഗതിയിലോ, അഥവാ അങ്ങനെയുള്ള നിർമ്മിത വസ്തുക്കൾ ഇൻഡ്യയുടെ രാജ്യാതിർത്തിക്ക് വെളിയിലേയ്ക്ക് കയററി അയയ്ക്കുമ്പോഴോ, ഈ ഉപവകുപ്പ് ബാധകമാകുന്നതല്ല.

മാത്രമല്ല, സാധനങ്ങൾ ആർക്കാണോ വിൽക്കുന്നത്, ആ വ്യാപാരി യഥാവിധി പൂരിപ്പിച്ചതും, ഒപ്പിട്ടതും, നിർദ്ദിഷ്ട വിവരങ്ങൾ അടങ്ങിയിട്ടുള്ളതും നിർദ്ദിഷ്ട ഫാറത്തിലുള്ളതുമായ ഒരു പ്രഖ്യാപനം, സാധനങ്ങൾ വിൽക്കുന്ന വ്യാപാരി അസസു ചെയ്യുന്ന അധികാരിക്ക് നിർദ്ദിഷ്ട രീതിയിൽ നൽകാത്തപക്ഷം, ഈ ഉപവകുപ്പിലെ വ്യവസ്ഥകൾ യാതൊരു വിൽപ്പനയ്ക്കും ബാധകമാകുന്നതല്ല.

4. 5 എ വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്ട്, 5 എ വകുപ്പിൽ,

(എ) (2)-ാം ഉപവകുപ്പിൽ, "അമ്പതിനായിരം രൂപ" "പതിനയ്യായിരം രൂപ" എന്ന വാക്കുകൾക്കു പകരം, "എഴുപത്തയ്യായിരം രൂപ" "ഇരുപത്തയ്യായിരം രൂപ" എന്നീ വാക്കുകൾ യഥാക്രമം ചേർക്കേണ്ടതാണ്;

(ബി) (3)-ാം ഉപവകുപ്പിൽ, "അമ്പതിനായിരം രൂപ" "അമ്പത്തയ്യായിരം രൂപ" എന്നീ വാക്കുകൾക്കു പകരം "എഴുപത്തയ്യായിരം രൂപ" "എൺപതിനായിരം രൂപ" എന്നീ വാക്കുകൾ യഥാക്രമം ചേർക്കേണ്ടതാണ്.

5. 7-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്ട്, 7-ാം വകുപ്പിൽ, "അമ്പതിനായിരം രൂപ" "അമ്പത്തയ്യായിരം രൂപ" എന്നീ വാക്കുകൾക്കുപകരം, "എഴുപത്തയ്യായിരം രൂപ" "എൺപതിനായിരം രൂപ" എന്നീ വാക്കുകൾ യഥാക്രമം ചേർക്കേണ്ടതാണ്.

6. 13-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്ട്, 13-ാം വകുപ്പിൽ,—

(എ) (1)-ാം ഉപവകുപ്പിൽ "അമ്പതിനായിരം രൂപ" എന്ന വാക്കുകൾക്കു പകരം "എഴുപത്തയ്യായിരം രൂപ" എന്ന വാക്കുകൾ ചേർക്കേണ്ടതാണ്;

(ബി) (2)-ാം ഉപവകുപ്പിൽ "പതിനയ്യായിരം രൂപ" എന്ന വാക്കുകൾക്കു പകരം "ഇരുപത്തയ്യായിരം രൂപ" എന്ന വാക്കുകൾ ചേർക്കേണ്ടതാണ്.

7. 17-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്ട്, 17-ാം വകുപ്പിൽ, (4)-ം (6)-ം ഉപവകുപ്പുകളിൽ "ഒരു ലക്ഷത്തി അമ്പതിനായിരം രൂപ" എന്ന വാക്കുകൾക്കു പകരം "രണ്ടു ലക്ഷം രൂപ" എന്ന വാക്കുകൾ ചേർക്കേണ്ടതാണ്;

8. 18-ാം വകുപ്പ് വിട്ടുകളയൽ.—പ്രധാന ആക്ട്, 18-ാം വകുപ്പ് വിട്ടുകളയണം.

9. 34-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്ട്, 34-ാം വകുപ്പിൽ "18-ാം വകുപ്പിന്റെ (1)-ാം ഉപവകുപ്പ്, (2)-ാം ഉപവകുപ്പ്, അല്ലെങ്കിൽ (3)-ാം ഉപവകുപ്പ്" എന്ന വാക്കുകളും ബ്രാക്കററുകളും, അക്കങ്ങളും, വരുന്ന രണ്ടു സ്ഥലങ്ങളിലും, അവ വിട്ടുകളയേണ്ടതാണ്;

10. ഒന്നാം പട്ടികയുടെ ഭേദഗതി.—പ്രധാന ആക്ടിന്റെ 1-ാം പട്ടികയിൽ,

(എ) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 3-ന് എതിരെ വരുന്ന "10" എന്ന അക്കത്തിനു പകരം "8" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(ബി) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 8-ന് എതിരെ വരുന്ന "10" എന്ന അക്കത്തിനു പകരം "8" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(സി) ക്രമനമ്പർ 16-ം അതിനോട് ബന്ധപ്പെട്ട ഉൾക്കുറിപ്പുകളും ഒഴിവാക്കേണ്ടതാണ്.

(ഡി) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 20-ന് എതിരെ വരുന്ന "10" എന്ന അക്കത്തിനു പകരം "8" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(ഇ) ക്രമനമ്പർ 37-നും അതിനോടു ബന്ധപ്പെട്ട ഉൾക്കുറിപ്പുകൾക്കും മുമ്പ്, താഴെ പറയുന്നത് ചേർക്കേണ്ടതാണ്, അതായത്:—

"36 എ,	ചാരായം	5-ാം വകുപ്പു പ്രകാരം നികുതി ബാദ്ധ്യസ്ഥനായ ഒരു വ്യാപാരി ഈ സംസ്ഥാനത്തു നടത്തുന്ന ആദ്യവിൽപ്പനയുടെ ഘട്ടത്തിൽ	15;"

(എഫ്) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 39-ന് എതിരെ വരുന്ന "10" എന്ന അക്കത്തിന് പകരം "8" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(ജി) ക്രമനമ്പർ 40-നും അതിനോടു ബന്ധപ്പെട്ട ഉൾക്കുറിപ്പുകൾക്കും പകരം താഴെ പറയുന്നത് ചേർക്കേണ്ടതാണ്, അതായത്:—

"40 സിന്തററിക് റബർ ഫോമും, പോളിത്തീൻ ഫോമും, പ്ലാസ്ററിക് ഫോമും, അതിന്റെ ഉൽപ്പന്നങ്ങളും എന്നിവ ഒഴികെയുള്ള സിന്തററിക് റബറും അതിന്റെ ഉൽപ്പന്നങ്ങളും, റബറിന്റേയും സിന്തററിക് റബറിന്റേയും മിശ്രിതങ്ങളും അവയുടെ ഉൽപ്പന്നങ്ങളും.	5-ാം വകുപ്പിൻ കീഴിൽ നികുതി നൽകാൻ ബാദ്ധ്യസ്ഥനായ ഒരു വ്യാപാരി സംസ്ഥാനത്തു നടത്തുന്ന ആദ്യ വിൽപ്പനയുടെ ഘട്ടത്തിൽ	12
40എ സിന്തററിക് റബർ ഫോമും, പോളിത്തീൻ ഫോമും പ്ലാസ്ററിക് ഫോമും അതിന്റെ ഉൽപ്പന്നങ്ങളും.	ടി	15

(എച്ച്) ക്രമനമ്പർ 42-നും 43-നും അതിനെ സംബന്ധിക്കുന്ന ഉൾക്കുറിപ്പുകൾക്കും പകരം താഴെ പറയുന്നതു ചേർക്കേണ്ടതാണ്, അതായത്;—

"42 കൃത്രിമ സിൽക്കു നൂലും സിന്തററിക്ക് പോളിസ്ററർ ഇഴയും	5-ാംവകുപ്പിൻ കീഴിൽ നികുതി നൽകാൻ ബാദ്ധ്യസ്ഥനായ ഒരു വ്യാപാരി സംസ്ഥാനത്തു നടത്തുന്ന ആദ്യ വിൽപ്പനയുടെ ഘട്ടത്തിൽ	4
43 സ്റേറപ്പിൾ ഫൈബർ ഇഴ	ടി	2",

(ഐ) (4)-ാം കോളത്തിൽ, ക്രമനമ്പർ 61-ന് എതിരെ വരുന്ന "8" എന്ന അക്കത്തിനു പകരം "6" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(ജെ) ക്രമനമ്പർ 72-നും അതിനെ സംബന്ധിക്കുന്ന ഉൾക്കുറിപ്പുകൾക്കും പകരം താഴെ പറയുന്നത് ചേർക്കേണ്ടതാണ്, അതായത്:—

"72 പെയിന്റുകൾ, കളറുകൾ ലാകറുകൾ	5-ാം വകുപ്പിൻ കീഴിൽ നികുതി നൽകാൻ ബാദ്ധ്യസ്ഥനായ ഒരു വ്യാപാരി സംസ്ഥാനത്ത് നടത്തുന്ന ആദ്യ വിൽപ്പനയുടെ ഘട്ടത്തിൽ		10
72എ വാർണീഷുകൾ, ചായങ്ങൾ, പോളിഷുകൾ ഇൻഡിഗോ, ഇനാമൽ, ലപ്പം, ബത്തിൽഓയിൽ, വൈററ് ഓയിൽ, ടർപ്പെൻറയിൻ ഓയിൽ, തിന്നറുകൾ, എമേഴ്സും പെയിൻറ് ബ്രഷുകളും	ടി		7",

(കെ) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 73 നു എതിരെ വരുന്ന '7' എന്ന അക്കത്തിനുപകരം '10' എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(എൽ) ക്രമനമ്പർ 84 ന് എതിരെയുള്ള (2)-ാം കോളത്തിലെ ഉൾക്കുറിപ്പുകളിൽ (x) എന്ന ഇനത്തിനുപകരം താഴെപറയുന്ന ഇനം ചേർക്കേണ്ടതാണ്.—

"(x) ഡൈകാൽസ്യം ഫോസ്ഫേററ്."

(എം) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 95 ന് എതിരെയുള്ള "7" എന്ന അക്കത്തിനു പകരം "10" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(എൻ) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 99 ന് എതിരെയുള്ള "6" എന്ന അക്കത്തിനുപകരം "4" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(ഒ) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 112 ന് എതിരെയുള്ള "5" എന്ന അക്കത്തിനുപകരം "10" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(പി) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 115 ന് എതിരെയുള്ള "8" എന്ന അക്കത്തിനുപകരം "6" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(ക്യു) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 117 ന് എതിരെയുള്ള "7" എന്ന അക്കത്തിനുപകം "10" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(ആർ) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 119 ന് എതിരെയുള്ള "9" എന്ന അക്കത്തിനുപകരം "8" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(എസ്) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 124 ന് എതിരെയുള്ള "8" എന്ന അക്കത്തിനുപകരം "6" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(ററി) ക്രമനമ്പർ 130 ന്യം അതിനെ സംബന്ധിക്കുന്ന ഉൾക്കുറിപ്പുകൾക്കും മുമ്പായി താഴെ പറയുന്നത് ചേർക്കേണ്ടതാണ്, അതായത്:—

"129 എ. ഗ്രൈൻഡറുകൾ, മിക്സറുകൾ ഹോട്ട് പ്ലേററുകൾ, വെള്ളം ചൂടാക്കുന്ന ഉപകരണങ്ങൾ, അലക്കാൻ ഉപയോഗിക്കുന്ന മെഷീനുകൾ, പാചകം ചെയ്യാൻ ഉപയോഗിക്കുന്ന ഇലക്ട്രിക് വീട്ടുപകരണങ്ങൾ	5-ാം വകുപ്പിൻ പ്രകാരം നികുതിയൊടുക്കാൻ ബാദ്ധ്യസ്ഥനായ ഒരു വ്യാപാരി ഈ സംസ്ഥാനത്തിനകത്ത് നടത്തുന്ന ആദ്യ വിൽപ്പനയുടെ ഘട്ടത്തിൽ	12",

(യു) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 136 നു എതിരെയുള്ള "13" എന്ന അക്കത്തിനുപകരം "15" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(വി) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 146 ന് എതിരെയുള്ള "6" എന്ന അക്കത്തിനുപകരം "5" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(ഡബ്ല്യു) (4)-ാം കോളത്തിൽ ക്രമനമ്പർ 154 ന് എതിരെയുള്ള "12" എന്ന അക്കത്തിനുപകരം "15" എന്ന അക്കം ചേർക്കേണ്ടതാണ്.

(എക്സ്) ക്രമനമ്പർ 156 നും അതിനെ സംബന്ധിക്കുന്ന ഉൾക്കുറിപ്പുകൾക്കും പകരം താഴെ പറയുന്നത് ചേർക്കേണ്ടതാണ്, അതായത്:—

"156. പ്ലാസ്റ്റിക്കുകളും പ്ലാസ്റ്റിക് പൈപ്പുകൾ ഉൾപ്പെടെ, പ്ലാസ്റ്റിക് കൊണ്ടുണ്ടാക്കിയ ഉപകരണങ്ങളും	5-ാം വകുപ്പു പ്രകാരം നികുതി കൊടുക്കാൻ ബാദ്ധ്യസ്ഥനായ ഒരു വ്യാപാരി ഈ സംസ്ഥാനത്തിനകത്ത് നടത്തുന്ന ആദ്യ വിൽപ്പനയുടെ ഘട്ടത്തിൽ	6"

(വൈ) (2)-ാം ഖണ്ഡത്തിലെ ക്രമനമ്പർ 168-ന് എതിരെയുള്ള ഉൾക്കുറിപ്പിനു പകരം താഴെ പറയുന്നത് ചേർക്കേണ്ടതാണ്, അതായത്:—

"പ്ലാസ്റ്റിക് അല്ലാത്ത സിന്തറ്റിക് സാധനങ്ങൾ കൊണ്ടുണ്ടാക്കിയ പൈപ്പുകൾ"

11. <u>3-ാം പട്ടികയുടെ</u> ഭേദഗതി.—പ്രധാന ആക്ടട് മൂന്നാം പട്ടികയിൽ,

(എ) ക്രമനമ്പർ 11 എ യും അതിനെ സംബന്ധിക്കുന്ന ഉൾക്കുറിപ്പുകളും ഒഴിവാക്കേണ്ടതാണ്.

(ബി) താഴെ പറയുന്നത് അവസാനം ചേർക്കേണ്ടതാണ്, അതായത്;—

"17 സ്ലേറ്റുകളും സ്ലേറ്റു പെൻസിലുകളും

18 മരിച്ചീനിയും അതിന്റെ ഉൽപ്പന്നങ്ങളും".

ജ്യോതി വെങ്കിടചെല്ലം,
ഗവർണ്ണർ.

(ശരിത്തർജ്ജമ)

പി. ജഗദമ്മ,
അഡീഷണൽ ഹെഡ് ട്രാൻസ്ലേറ്റർ.



GOVERNMENT OF KERALA

Water and Power (Electricity-A) Department

NOTIFICATION

G. O. (P) No. 34/83/W&P. *Dated, Trivandrum, 14th July* 1983.

S. R. O. No. 915/83.—In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), the Government of Kerala hereby make the following Special Rules in respect of Special Recruitment from among the members of Scheduled Castes/Scheduled Tribes to the post of Deputy Electrical Inspector in the Department of Electrical Inspectorate namely:—

RULES

1. *Short title and commencement.*—(a) These rules may be called the Special Rules in respect of Special Recruitment from among the members of Scheduled Castes and Scheduled Tribes to the post of Deputy Electrical Inspector in the Department of Electrical Inspectorate, 1983.

(b) They shall come into force at once.

2. *Educational Qualifications.*—The qualification for appointment to the post shall be a Degree in Electrical Engineering of a recognised University or any other qnalification recognised as equivalent thereto.

3. *Qualification regarding age.*—No person shall be eligible for appointment to the post if he has completed 40 years of age on the first day of January of the year in which applications for appointment to the post are invited. The relaxation in age limit envisaged in sub-rule (c) of rule 10 of the General Rules of the Kerala State and Subordinate Service Rules, 1958, shall not apply to the candidates for appointment under these rules.

4. *Training.*—The candidates on selection shall be on training for a period of three years. The period of training shall not be counted for probation.

5. *Pay during training*:—During the period of training the candidate shall be paid the minimum of the scale of pay plus the usual allowances attached to the post.

6. *Probation.*—Every person appointed to the post after training, hall, from the date of his joining duty be on probation for a total period of two years on duty, within a continuous period of three years.

7. *Tests.*—The person appointed to the post shall, during the period of probation, pass the test on Manual of office procedure and Account Test (Lower), if he has not already passed the Tests.

By order of the Governor,
G. GOPALAKRISHNA PILLAI,
Special Secretary to Government.

Explanatory Note

(This note is not part of the Notification, but is intended to indicate its general purport.)

According to the programme for special recruitment of Scheduled Gastes/Scheduled Tribes in Government Services, direct recruitment has to be made to the post of Deputy Electrical Inspector in the Department of Electrical Inspectorate. Since the post belongs to Kerala Electrical Inspectorate Service, this notification is issued to enable the Government to make recruitment from among the members of Scheduled Gastes/Scheduled Tribes to the category of Deputy Electrical Inspector in the Department of Electrical Inspectorate.

To

The Chief Electrical Inspector.
The Secretary, Kerala Public Service Gommission (with G.L.)
The Secretary, Keràla State Electricity Board, Trivandrum.
The Director of Technical Education.
The Chief Engineer (General, Buildings and Roads).
The General Administration Department (Rules).
The General Administration Department (Service B).

Kerala Gazette No. 30 dated 26th July 1983.
PART I **Section iv**

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. MS. No. 137/83/H.Edn. *Dated, Trivandrum, 8th July* 1983.

S. R. O. No. 916/83.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under subsections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said Scheme shall come into operation, namely:—

Scheme

1. This endowment may be called "Veerasree Godavarma Pandarathil Memorial Endowment Fund".

2. The corpus of the Endowment shall consist of Rs. 1,000 (Rupees one thousand only) and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any securities approved by the Government of Kerala

4. The Headmaster/Headmistress, Government High School, Ezhumattoor, Thirvalla shall be the Administrator of the Fund.

5. The annual interest accruing on the fund shall be utilised during the succeeding year for awarding a prize in kind to the Scheduled Caste/Scheduled Tribe/Converted Christian (ie. converted from Scheduled Caste/Scheduled Tribe) student of the Government High School, Ezhumattoor, Thiruvalla who has passed the S.S.L.C. Examination during the previous year securing the highest number of marks.

6. The prize shall be awarded on the occasion of the School Day Celebration or on any other occasion in the academic year as decided by the Administrator.

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7. If, in any year, two or more pupils secure the same number of highest marks, then the amount shall be divided equally among them and the prizes awarded accordingly.

8. Requisition for payment of annual interest shall be sent by the Administrator at any time not later than two months prior to the date fixed for the award of the prizes and the Treasurer of the Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If, the interest is not utilised as provided in clause 5 or if the prize is not awarded owing to the non-availability of a suitable candidate or for any other reason or any balance is left after awarding the prize such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the controlling authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction whose decision thereon shall be final.

SCHEDULE

Name of Endowment	*Details of property*
(1)	(2)
"Veerasree Godavarma Pandarathil Memorial Endowment Fund"	Rs. 1,000 (Rupees one thousand only)

By order of the Governor,

A. RAMASWAMY PILLAI,

Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Smt. A. Rajamma Thampuratty, Advumpurath Koickal, Ezhumattoor, Thiruvalla wishes to institute an Endowment in the Government High School, Ezhumattoor. A preliminary notification regarding this has been published in the Gazette dated 3-5-1983. Now Government have accepted the endowment for institution and hence this notification.

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. MS. No. 135/83/H. Edn. *Dated, Trivandrum, 8th July* 1983.

S.R.O. No. 917/83.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under subsections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said Scheme shall come into operation, namely:—

SCHEME

1. This Endowment may be called "Cheruthuruthy Progressive Foreign Association Endowment Fund".

2. The corpus of the Endowment shall consist of Rs. 1,010 (Rupees one thousand and ten only) and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.

4. The Headmaster/Headmistress of Government High School, Pazhanji, Trichur District shall be the Administrator of the Fund.

5. The annual interest accruing on the fund shall be utilised during the succeeding year for awarding a prize in cash to a student of the Government High School, Pazhanji, Trichur District who has passed the S.S.L.C. Examination conducted during the previous year in the first attempt securing the highest number of marks.

6. The prize shall be awarded on any suitable occasion as decided by the Administrator.

7. If, in any year, two or more pupils secure the same number of highest marks, then the amount shall be divided equally among them and the prizes awarded accordingly.

8. Requisition for payment of annual interest shall be send by the Administrator to the Treasurer of Charitable Endowments at any time not later than two months prior to the date fixed for the award of the prize and the Treasurer of Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If the interest is not utilised as provided in clause 5 or if the prize is not awarded owing to the non-availability of a suitable candidate, or for any other reason or any balance is left after awarding the prize such amount shall be added on to the corpus of the Fund by the Treasurer of Charitable Endowments unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the Controlling Authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction, whose decision thereon shall be final.

SCHEDULE

Name of Endowment	*Details of property*
(1)	(2)
"Cheruthuruthy Progressive Foreign Association Endowment Fund".	Rs. 1,010 (Rupees one thousand and ten only).

By order of the Governor,

A. RAMASWAMY PILLAI,

Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

The Progressive Foreign Association, Cheruthuruthy P. O. Box No. 5740 Sharjah wishes to institute an endowment in the Government High School, Pazhanji, Trichur. A Preliminary notification regarding this has been published in the Gazette dated 3-5-1983. Now Government have accepted the Endowment for Institution and hence this notification

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. MS. No. 132/83/H. Edn. *Dated, Trivandrum, 8th July* 1983.

S. R. O. No. 918/83.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under sub-sections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said scheme shall come into operation, namely:—

SCHEME

1. This Endowment may be called "Thekkeveettil Sri R. Chellappan Pillai Shashtyabda Poorthi Memorial Endowment Fund".

2. The corpus of the Endowment shall consist of Rs. 2,500 (Rupees two thousand and five hundred only), and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.

4 The Headmaster/Headmistress, Ijjathil Islam U. P. School, Naduvilakara, Thevalakara, Quilon shall be the Administrator of the Fund.

5. The annual interest accruing on the fund shall be utilised during the succeeding year for awarding a prize in cash to a student of the Ijjathil Islam U. P. School, Naduvilakara, Thevalakara who has passed the Annual Examination of the highest standard of the said School, during the previous year in the first attempt securing the highest number of marks.

6. The prize shall be awarded on any occasion of the School Day Celebration or any other occasion in the academic year as decided by the Administrator and thereafter the fact of such award with relevant

particulars thereof shall be published in the Notice Board of the School for information of the public and the matter shall be intimated to Sri R. Chellappan Pillai, S. N. Building, Thevalakara/his heirs/assigns.

7. If, in any year two or more pupils secure the same number of highest marks, then the amount shall be divided equally among them and the prizes awarded accordingly.

8. Requisition for payment of annual interest shall be sent by the Administrator at any time not later than two months prior to the date fixed for the award of the prize and the Treasurer of Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If the interest is not utilised as provided in clause 5 or if the prize is not awarded owing to the non-availability of a suitable candidate or for any other reason or any balance is left after awarding the prize such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the controlling authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction, whose decision thereon shall be final.

SCHEDULE

Name of Endowment	Details of Property
(1)	(2)
"Thekkeveettil Sri R. Chellappan Pillai, Shastyabda Poorthi Memorial Endowment Fund".	Rs. 2,500 (Rupees two thousand and five hundred only).

By order of the Governor,
A. RAMASWAMY PILLAI,
Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Smt. Retna Ram Mohan and three others wish to institute and endowment in the Ijjathil Islam U. P. School, Naduvilakara. A preliminary notification regarding this has been published in the Gazette dated 3-5-1983. Now Government have accepted the endowment for institution and hence this notification.

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. (Ms.) No. 134/83/H. Edn. *Dated, Trivandrum, 8th July* 1983.

S.R.O. No. 919/83.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under subsections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said Scheme shall come into operation, namely:—

SCHEME

1. This Endowment may be called "K. P. Chandrahasan Memorial Endowment Fund".

2 The corpus of the Endowment shall consist of Rs. 1,000 (Rupees One thousand only) and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.

4. The Headmaster/Headmistress K. P. M. High School, Poothotta, Ernakulam District shall be the Administrator of the Fund.

5. The annual interest accruing on the Fund shall be utilised during the succeeding year for awarding a prize in kind to a student of the K. P. M. High School, poothotta who has passed the S. S. L. C. Examination during the previous year in the first attempt securing the highest number of marks in Hindi.

6. The prize shall be awarded on the occasion of the School Day Celebration or on any other occasion in the academic year as decided by the Administrator.

particulars thereof shall be published in the Notice Board of the School for information of the public and the matter shall be intimated to Sri R. Chellappan Pillai, S. N. Building, Thevalakara/his heirs/assigns.

7. If, in any year two or more pupils secure the same number of highest marks, then the amount shall be divided equally among them and the prizes awarded accordingly.

8. Requisition for payment of annual interest shall be sent by the Administrator at any time not later than two months prior to the date fixed for the award of the prize and the Treasurer of Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If the interest is not utilised as provided in clause 5 or if the prize is not awarded owing to the non-availability of a suitable candidate or for any other reason or any balance is left after awarding the prize such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the controlling authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction, whose decision thereon shall be final.

SCHEDULE

Name of Endowment	Details of Property
(1)	(2)
"Thekkeveettil Sri R. Chellappan Pillai, Shastyabda Poorthi Memorial Endowment Fund".	Rs. 2,500 (Rupees two thousand and five hundred only).

By order of the Governor,
A. RAMASWAMY PILLAI,
Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Smt. Retna Ram Mohan and three others wish to institute and endowment in the Ijjathil Islam U. P. School, Naduvilakara. A preliminary notification regarding this has been published in the Gazette dated 3-5-1983. Now Government have accepted the endowment for institution and hence this notification.

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. Ms. No. 133/83/H.Edn. *Dated, Trivandrum, 8th July* 1983.

S. R. O. No.920/83.—In exercise of the powers conferred by sub-section (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under sub-sections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said scheme shall come into operation, namely:—

SCHEME

1. This Endowment may be called "P. Chelestian Merit Endowment Fund".

2. The corpus of the Endowment shall consist of Rs. 1,501 (Rupees One thousand five hundered and one only) and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.

4. The Headmaster/Headmistress, Government Model High School, for Girls Quilon shall be the Administrator of the Fund.

5. The annual interest accruing on the fund shall be utilised, during the succeeding year for awarding two prizes in kind of equal values to two students of Government Model High School for Girls, Quilon of whom one shall be a student who has passed the S. S. L. C. Examination during the previous year in the first attempt securing the highest number of marks and the other shall be a student of the same school who has passed the S. S. L. C. Examination during the previous year in the first attempt securing the highest number of marks in Malayalam.

6. The prizes shall be awarded on the occasion of the School Day Celebration or on any other occasion in the academic year as decided by the Administrator.

7. If, in any year, two or more pupils secure the same number of highest marks in either category then the amount shall be divided eqally among them and the prizes awarded accordingly.

8. Requisition for payment of annual interest shall be sent by the Administrator at any time not later than two months prior to the date fixed for the award of the prizes and the Treasurer of Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If, the interest is not utilised as provided in clause 5 or if the prize is not awarded owing to the non-availability of a suitable candidate or for any other reason or any balance is left after awarding the prize such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the controlling authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction, whose decision thereon shall be final.

SCHEDULE

Name of Endowment	*Details of Property*
(1)	(2)
"P. Chelestian Merit Endowment Fund"	Rs. 1,501 (Rupees One thousand and five hundred and one only).

By order of the Governor,

A. RAMASWAMY PILLAI,
Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

Sri P. Chelestian, Mary Sadanam, Asramom South, Quilon wishes to institute an Endowment in Government Model High School for Girls, Quilon. A preliminary notification regarding this has been published in the Gazette dated 3-5-1983. Now Government have accepted the endowment for institution and hence this notification.

COVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G.O.MS. No. 136/83/H.Edn. *Dated, Trivandrum,* 8*th July* 1983.

S.R.O. No. 921/83.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Covernment of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under sub-sections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said scheme shall come into operation, namely:—

SCHEME

1. This Endowment may be called "Professor G. Kumara Pillai Endowment Fund".

2. The Corpus of the Endowment shall consists of Rs. 3,000 (Rupees three thousand only) and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The Corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Covernment of Kerala.

4. The administration of the Endowment shall be vested in a committee consisting of (a) The Principal, University College, Trivandrum, who shall be the ex-officio Chairman of the Committee and the Chief Administrator and (b) the Head of the Department of English, University College, Trivandrum.

5. The annual interest accruing on the fund shall be utilised during the succeeding year for awarding a prize on cash to the Candidate who has secured the highest rank in the select list prepared for admission to M.A. and is enrolled as a regular student in the M. A. Previous (English) Class in the University College, Trivandrum.

6. The Principal, University College, Trivandrum shall arrange to award the prize every year on the occasion of the College day Celebration or on any other suitable occasion in the academic year itself as decided by

the Committee for Administration of the fund and obtain proper acknowledgement from the awardees and maintain proper accounts of the the award. The fact of the award of the prize with relevant particular thereof shall be published in the College notice board.

7. Requisition for payment of annual interest shall be sent by the Administrator at any time not later than two months prior to the date fixed for award of the prize and the Treasurer of Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrative Committee.

8. If, in any year, the interest is not utilized as provided in clause 5, or if the prize is not awarded owing to the non-availability of a suitable candidate or for any other reason or if any balance is left after awarding the prize such amount shall be added on the corpus of the fund by the Treasurer of Charitable Endowments unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the controlling authority specified in clause 9.

9. If, any doubt or dispute arises regarding the meaning or interpretation of the provision of the scheme, the same shall be referred to the Director of the same Collegiate Education whose decision thereon shall be final.

SCHEDULE

Name of Endowment	*Details of property*
(1)	(2)
Prof. G. Kumara Pillai Endowment	Rs. 3,000 (Rupees three thousand only).

By order of the Governor,

A. RAMASWAMY PILLAI,

Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

Sri Vishnu Narayanan Namboodiri 'Aparajitha', Jaya Mansion Compound, Trivandrum on behalf of the Committee for constituting Prof. G. Kumara Pillai Prize Endowment Fund wishes to institute the Endowment in the University College, Trivandrum. A preliminary notification regarding this has been published in the Gazette dated 3-5-1983. Now Government have accepted the Endowment for institution and hence this notification

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. MS. No. 129/83/H. Edn. *Dated, Trivandrum, 4th July* 1983

S.R.O. No. 922/83.—In exercise of the powers conferred by sub-section (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, of Kerala, and under sub-sections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said scheme shall come into operation, namely:—

SCHEME

1. This endowment may be called "Mrs. Victoria Sebastian Endowment Fund."
2. The Corpus of the endowment shall consist of Rs. 1,500 (Rupees One thousand and five hundred only) and shall be vested with the Treasurer of Charitable Endowments, Kerala.
3. The corpus of the endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.
4. The Headmaster/Headmistress P. M. G. U. P. School, Punalur shall be the Administrator of the Fund.
5. The Annual interest accruing on the fund shall be utilised during the succeeding year for awarding two prizes in cash in equal amount to two students of the P. M. G. Upper Primary School as follows :—

   (a) One of the prizes shall be awarded to a student who has passed the examination in the first attempt in the previous year, securing highest number of marks consistently from Standards V to VII or cumulatively in these 3 classes.

   (b) The other prize shall be awarded to a student belonging to the Scheduled Caste/Scheduled Tribe who has passed the examination in Standard VII in the first attempt in the previous years securing the highest number of marks consistently from Standards V to VII or cumulatively in these 3 classes.

6. Prizes shall be awarded on the occasion of the School Day Celebration. In the event of there being no School Day Celebration, prizes shall be awarded at any other public function in the academic year as decided by the Administrator.

7. The candidates for the award of the prize shall be selected in each year by a committee consisting of the Administrator, President of the Parent Teachers Association and the Donor or her nominee, unanimously. If there is no unanimity in this respect, the decision of the concerned Assistant Educational Officer shall be final.

8. Requisition for payment of annual interest shall be sent by the Administrator to the Treasurer of Charitable Endowments at any time not later than two months prior to the date fixed for the award of prizes and the Treasurer of the Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If the interest is not utilised as provided in clause 5 or if the prizes are not awarded owing to the non-availability of suitable candidate or for any other reason or any balance is left after awarding the prizes, such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the controlling authority specified in clause 10

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction whose decision thereon shall be final.

SCHEDULE

Name of Endowment	*Details of Property*
(1)	(2)
"Mrs. Victoria Sebastian Endowment Fund".	Rs. 1,500 (Rupees One thousand and five hundred only)

By order of the Governor,

A. RAMASWAMY PILLAI,

Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

Mrs. Victoria Sebastian, P. D. Teacher, P. M. G U. P. School Punalur, wishes to institute an Endowment in her name in the P.M.G.U.P. School, Punalur. A preliminary notification regarding this has been published in the gazette dated 22-3-1983. Now Government have accepted the endowment for institution and hence this notification.

GOVERNMENT OF KERALA

Agriculture (Forest Miscellaneous) Department

NOTIFICATION

No. 45968/FM3/82/AD. *Dated, Trivandrum, 21st June* 1983.

S. R. O. No. 923/83.—Under clause (c) of sub-section (1) of section 4 of the Wild Life (Protection) Act, 1972 (Central Act 53 of 1972) the Government of Kerala hereby appoint the following persons as Honorary Wild Life Warden for the purposes of the said Act for a period of one year from the date of this Notification namely:—

1. Sri. M.R.P. Lappin, General Manager, Tata Finlay Limited, Munnar.
2. Sri Samar Singh, Manager, Guderala Estate, Munnar
3. Sri I.P. Prem, Manager, Vagavurrai Estate, Munnar
4. Sri K.N. Changappa, Manager, Kadalwar Estate, Munnar.

By order of the Governor,

S. Gopalan,

Special Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

In its XIV meeting, held on 9th February 1981 under the Chairmanship of the Prime Minister of India, the Indian Board for Wild Life reiterated the need for public participation in Wild Life Conservation and desired that the State should initiate action for the appointment of Honorary Wild Life Wardens. The State Wild Life Advisory Board meeting held at Parambikulam on 20-12-1982, recommended the above noted persons for appointment as Honorary Wild Life Wardens.

This notification is intended to achieve the above purposes.

Kerala Gazette No. 30 dated 26th July 1983.
PART I Section iv



GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G.O. (P) No. 94/83/Home. *Dated, Trivandrum, 7th July* 1983.

S.R.O. No. 924/83.—In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968) the Government of Kerala hereby make the following Rules further to amend the Special Rules for the Kerala Judicial Ministerial Subordinate Service issued under G.O. (P) 177/75/PD. dated the 2nd September, 1975 and published as S.R.O. No. 900/75 in the Part I of the Kerala Gazette No. 39 dated 7th October, 1975 namely:—

RULES

1. *Short title and commencement*:—(1) These rules may be called the Kerala Judicial Ministerial Subordinate Service (amendment) Rules, 1982.

(2) They shall come into force at once.

2. *Amendment to the rules*:

In the Kerala Judicial Ministerial Subordinate Service rules.

(i) In rule 4, after category 6 under the heading Class I, the following category shall be inserted, namely, "category 6A (a) Kannada Lower Division Typist (Civil wing) (b) Kannada Lower Division Typist (Criminal wing)

(ii) In Sub rule (a) of rule 5, after category 6 under the heading Class I and the entries against it in Column (2) Method of appointments, the following category and entries shall respectively be inserted namely:—

Category 6 A (a) Kannada Lower Division Typist (Civil Wing)

1. By appointment from qualified Copyists and Amins on the basis of Common Seniority.
2. In the absence of qualified and suitable candidates under item (1) above, by promotion from Attenders under Class II.
3. In the absence of qualified and suitable candidates under item (1) and (2) above by transfer from last grade services.
4. By direct Recruitment.

Category 6 A (b) Kannada Lower Division Typist (Criminal Wing)

1. By appointment from qualified Copyists.
2. In the absence of qualified and suitable candidates under item (1) above, by promotion from qualified Attenders under Class II.
3. In the absence of qualified and suitable candidates under items (1) and (2) above by transfer from qualified last grade servants.

4. By Direct Recruitment.

Note:—In both Wings (Civil and Criminal) promotion or transfer and direct recruitment shall be in the ratio of 1:2.

(iii) In the table under rule 12, under the heading Class I after category 6 in Column (1) and the entries against it in Columns (2) and (3) the following category and entries shall respectively be inserted, namely:—

"6A, Kannada Lower Division Typists (Civil and Criminal Wings)

Any method.—Pass in Typewriting (Lower) Examination conducted by the Government of Karnataka/Kerala in English and Kannada or equivalent qualification".

By order of the Governor,

N. Kaleeswaran,

Commissioner and Special Secretary to Government.

Explanatory Note

(This is not part of the notification but is intended to indicate its general purport.)

Recently sanction was accorded by Government for the creation of some posts of Lower Division Typists qualified in Kannada Typewriting in the Judicial Department. There is no provision in the Special Rules of the Kerala Judicial Ministerial Subordinate Service as it exists now prescribing qualification and method of appointment of Kannada Typists. In order to make appointment to these posts amendments are necessitated to the Special Rules for including this new category viz Kannada Lower Division Typists and their qualifications and method of appointment. This notification is intended to achieve the above purpose.

Kerala Gazette No. 30 dated 26th July 1983.
PART I **Section iv**



GOVERNMENT OF KERALA

Abstract

RULES—KERALA SERVICE RULES—AMENDMENT TO RULE 84, PART I–ISSUED.

FINANCE (RULES) DEPARTMENT

G. O. (P) No. 363/83/Fin. Dated, Trivandrum, 4th July 1983.

Read:—(i) G.O. (P) No. 780/82/Fin. dated, 23-12-1982.

(ii) Letter No. Co. ord. II/12-28/Leave/258/1 dated 31-1-1983 from the Accountant General, Kerala, Trivandrum.

NOTIFICATION

S. R. O. No.925/83.—In exercise of the powers conferred by subsection (i) of Section 2 of the Kerala Public Services Act (19 of 1968) read with Section 3 thereof, the Government of Kerala hereby make the following rules further to amend the Kerala Service Rules, namely:—

RULES

C. S. No. 422/83

1. *Short title and commencement.*—(i) These rules may be called the Kerala Service (Amendment) Rules, 1983.

(ii) They shall be deemed to have come into force with effect from the 23rd December 1982.

2. *Amendment of the Rules.*— In Part I of the Kerala Service Rules, in rule 84,—

(i) in the first sentence the words "on medical certificate only" shall be omitted;

(ii) the second proviso shall be omitted.

By order of the Governor,

P. C. JOSEPH,

Additional Secretary to Government.

G. 1082 [P.T.O]

Explanatory Note

(This does not part of the notification, but is intended to indicate the general purport.)

Half pay leave earned at the rate of 20 days for each completed year of service can be availed of on private affairs or on medical certificate, whereas its conversion into commuted leave can be done only on medical certificate. Since commuted leave is financially more advantageous, there is a tendency on the part of employees to get medical certificate on grounds which are not really genuine. Therefore orders in G. O. (P) 780/82/Fin. dated 23-12-1982 have been issued dispensing with the production of medical certificate for commutation of half pay leave so that employees can avail commuted leave on private affairs also. This amendment is intended to give statutory validity to the above orders.

The last para of Rule 84 Part I Kerala Service Rules beginning with "provided further that no medical certificate shall be necessary for granting commuted leave for a period of not exceeding sixty days in continuation of maternity leave" was incorporated as per G. O. (P) 428/79/Fin. dated 24-4-1979. Since it is ordered to dispense with medical certificate for availing commuted leave, there is no meaning in retaining the above sentence in the rules. Hence the amendment.

To

The Accountant General, Kerala, Trivandrum.
All Heads of Departments and Offices.
All Departments (All Sections) of the Secretariat.
The Secretary, Kerala Public Service Commission, Trivandrum, (with C. L.)
The Registrar, High Court of Kerala, Ernakulam (with C. L.)
The Registrars, University of Kerala/Cochin/Calicut (with C. L.)
The Advocate General, Ernakulam (with C.L.)
The Secretary, Kerala State Electricity Board, Trivandrum (with C. L.)
The General Manager, Kerala State Road Transport Corporation, Trivandrum (with C.L.)
The Secretary to Governor
The Private Secretaries to the Chief Minister and other Ministers
The Under Secretary to the Chief Secretary.
The Private Secretary to the Leader of Opposition,

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

No. G. O. Rt. 774/83/LBR. *Dated, Trivandrum, 2nd July* 1983.

S. R. O. No. 926/83.—Whereas the Government of Kerala are satisfied that public interest so requires that the opening time of Anupama Theatres, Kottayam, should be fixed as 12 noon, for the purpose of conducting noon shows;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960), the Government of Kerala hereby order that for a period of three months from the date of this notification, the said theatre, shall not be opened earlier than 9 a. m. on Saturdays, Sundays and Public holidays which fall on other days of the week, and 12 noon on all other days or closed on any day later than 2 a. m.

By order of the Governor,

V. Krishnamurthy,

Special Secretary to Government

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

As per notification No. G.O. Rt. 194/83/LBR dated 26-2-1983 published in Kerala Gazette dated 29-3-1983 permission was granted to conduct noon shows from 12 noon in Anupama Theatres, Kottayam for a period of three months. The Managing Partner of the theatre has requested to extend the exemption order. Government consider that the request may be allowed for a period of another three months.

This notification is to achieve the above purpose.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-C) Department

NOTIFICATION

No. 26728/TC2/82/TF&P. *Dated, Trivandrum 2nd March* 1983.

S. R. O. No. 930/83.—Whereas representation has been received by Government from the Stage Carriage Operator Smt. R. Vijayalakshmi, Hindustan Transport Kayamkulam that the vehicle tax for the quarter ended on the 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KLY. 6021 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of this vehicle may, therefore be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th September, 1982 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the Vehicle tax for the quarter ended on the 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 31st October, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975

By order of the Governor,

K. KARUNAKARAN,

Additional Secretary to Government.

C. 748

[P.T.O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the stage carriage operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended on 30th September, 1982 due to financial strain ;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Revenue (F) Department

NOTIFICATION

G.O.(Rt.) No. 1094/83/RD. *Dated, Trivandrum,* 29*th June,* 1983.

S. R. O. No. 931/83.—Under section 13 of the Madras Hindu Religious and Charitable Endowments Act, 1951 (XIX of 1951), the Government of Kerala hereby appoint the following persons as members of the Area Committee, Palghat, for a period of three years from the date of publication of this notification in the Gazette, namely:—

(1) Shri P. G. Poduval (Retired Superintendent of Post Offices), "Parvathi Nivas", Chuduvalathur, Shornur-2;

(2) Shri K. V. Raman Nair, B. A., L. T. (Retired Head Master), "Sita Sadan", Shornur-1; and

(3) Shri V. Madhava Menon (Retired Deputy Collector), "Vinod Bhavan", Pattambi.

By order of the Governor,

C. S. SIVASANKARAN,
Additional Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate the general purport).

The term of S/Shri N. Kesavan and K. Eacharan as members of the Area Committee, Palghat has expired. So also Shri N. Gopala Panicker, another member of the Area Committee is no more. This notification is intended to fill the above three vacancies.

GOVERNMENT OF KERALA

Revenue (F) Department

NOTIFICATION

C.O. (Rt) No. 1093/83/RD. *Dated, Trivandrum, 29th June* 1983.

S. R. O. No. 932/83.—Under section 13 of the Madras Hindu Religious and Charitable Endowments Act, 1951 (Madras Act XIX of 1951), the Government of Kerala hereby appoint Shri K. Narayanan Nambiar, B.Com., B.L., Advocate, Taliparamba, as member of the Area Committee, Tellicherry for a period of three years from the date of publication of this notification in the Gazette.

By order of the Governor,

C. S. SIVASANKARAN,

Additional Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate the general purport.)

The term of Shri T. Prabhakara Sharma, Member of the Area Committee expired on 14-1-1933. Shri K. Narayanan Nambiar, Advocate, Taliparamba is appointed member of the Area Committee in the place of Shri T. Prabhakara Sharma. The notification is intended for the above purpose.

GOVERNMENT OF KERALA

Transport Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 27035/TC2/82/TF&P. *Dated, Trivandrum, 12th March* 1983.

S. R. O. No. 933/83.—Whereas representations have been received by Government from the Stage Carriage Operator Smt. P. M. Tahirabi, Karikulam House, Eriyad, Kodungallur, Trichur that the arrears of vehicle tax for the quarter ended on the 30th September, 1982 in respect of the Stage Carriage bearing Registration No. KLO. 3276 could not be remitted within the prescribed period due to financial strain and that permission may be granted to remit the arrears of vehicle tax in respect of this vehicle in monthly instalments;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the arrears of vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary in public interest to permit the stage carriage operator to remit the arrears of vehicle tax for the quarter ended on the 30th September, 1982 in respect of the said stage carriage in equal monthly instalments;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the arrears of vehicle tax for the quarter ended on the 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid in ten equal consentive monthly instalments commencing from the 1st November, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

K. KARUNAKARAN,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received representations from the Stage Carriage Operator as shown in the notification requesting instalment facility for payment of vehicle tax for the quarter ended 30th September, 1982 due, to financial strain;

Government are convinced of the position and in public interest, grant instalment facility for payment of tax as otherwise the vehicle might be put out of operation for non-payment of tax causing great inconvenienc to the travelling public.

Government of Kerala
1983

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 [No. 789

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 5428/LA. 5/83. *Dated, Trivandrum, 26th July, 1983.*

The Kerala Appropriation (No. 4) Bill, 1983 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/3096/MC.

Seventh Kerala Legislative Assembly

Bill No. 58

THE KERALA APPROPRIATION (No. 4) BILL, 1983

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1970, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1970, in excess of the amounts granted for those services and for that year ;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 4) Act, 1983.

2. *Issue of Rs. 1,12,959 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1970.*—From and out of the Consolidated Fund of the State of Kerala, the sum specified in column (3) of the Schedule amounting in the aggregate to the sum of one lakh, twelve thousand, nine hundred and fifty nine rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1970, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sum deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1970.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and purposes*	*Voted by the Legislative Assembly* Rs.	*Charged on the Consolidated Fund* Rs.	*Total* Rs.
XL	Miscellaneous	..	1,12,959	1,12,959
	Total	..	1,12,959	1,12,959

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1969-'70.

K. M. MANI

Reg. No. KL/TV(N)/12

Government of Kerala
1983



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 [No. 793

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 5428/LA. 5/83. *Dated, Trivandrum, 26th July, 1983.*

The Kerala Appropriation (No. 8) Bill, 1983 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/3100/MC.

Seventh Kerala Legislative Assembly

Bill No. 62

THE KERALA APPROPRIATION (No. 8) BILL 1983

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1976, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain sevices during the financial year ended on the 31st day of March, 1976, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 8) Act, 1983.

2. *Issue of Rs. 3,44,22,498 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1976.*—From and out of the Consolidated Fund of the State of Kerala, the sum specified in column (3) of the Schedule amounting in the aggregate to the sum of three crores, forty-four lakhs, twenty-two thousand, four hundred and ninety-eight rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1976, in excess of the amounts grannted for those services and for that year.

3. *Appropriation.*—The sum deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1976.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Number	*Services and purposes*	*Voted by the Legislative Assembly* Rs.	*Charged on the Consolidated Fund* Rs.	*Total* Rs.
VI	Land Revenue ..	3,50,437	..	3,50,437
VIII	Excise ..	2,18,331	..	2,18,331
	Debt charges ..	..	20,97,112	20,97,112
X	Treasury and Accounts ..	4,22,040	..	4,22,040
XI	District Administration and Miscellaneous ..	4,47,132	..	4,47,132
XVIII	Medical ..	1,31,58,601	..	1,31,58,601
XIX	Family Planning ..	34,42,996	..	34,42,996
XX	Public Health ..	33,88,744	..	33,88,744
XXI	Housing ..	2,47,569	..	2,47,569
XXII	Urban Development ..	8,79,504	..	8,79,504
XXXVI	Industries ..	23,952	..	23,952
XXXVII	Irrigation ..	96,49,829	15,702	96,65,531
XXXIX	Ports ..	..	80,549	80,549
	Total ..	3,22,29,135	21,93,363	3,44,22,498

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1975-76.

K. M. MANI

Government of Kerala
1983

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 [No. 788

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 5423/LA. 5/83. *Dated, Trivandrum, 26th July, 1983.*

The Kerala Appropriation (No. 3) Bill, 1983 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/3095/MC.

Seventh Kerala Legislative Assembly

Bill No. 56

THE KERALA APPROPRIATION (No. 3) BILL, 1983

A

BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1983-84.

Preamble.—WHEREAS it is necessary [to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1983-84;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 3) Act, 1983.

2. *Issue of Rs.* 49,56,83,400 *from and out of the Consolidated Fund of the State of Kerala for the financial year* 1983-84.—From and out of the Consolidated Fund of the State of Kerala, there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of forty-nine crores, fifty-six lakhs, eighty-three thousand and four hundred rupees towards defraying the several charges which will come in course of payment during the financial year 1983-84, in respect of the services and purposes specified in column (2) of the schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala by this Act shall be appropriated for the services and purposes specified in the Schedule in relation to the said year.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)		(3)		
			Sums not exceeding		
Demand Number	*Services and Purposes*		*Voted by the Legislative Assembly* Rs.	*Charged on the Consolidated Fund* Rs.	*Total* Rs.
II	Heads of States, Ministers and Headquarters Staff	Revenue	10,00,100	..	10,00,100
IV	Elections	Revenue	20,00,000	..	20,00,000
VIII	Excise	Revenue	200	..	200
X	Treasury and Accounts	Revenue	200	..	200
XI	District Administration and Miscellaneous	Revenue	..	62,76,700	62,76,700
XII	Police	Revenue	50,400	3,00,000	3,50,400
XV	Public Works	Revenue	7,63,00,300	..	7,63,00,300
		Capital	74,00,200	..	74,00,200
XVI	Pensions and Miscellaneous	Revenue	100	..	100
XVII	Education, Art and Culture	Revenue	52,600	..	52,600
		Capital	1,00,00,100	..	1,00,00,100
XXI	Public Health Engineering	Revenue	100	..	100
		Capital	10,38,00,000	..	10,38,00,000
XXII	Housing	Capital	100	..	100

(1)	(2)		(3)		
			Sums not exceeding		
Demand Number	*Services and Purposes*		*Voted by the Legislative Assembly*	*Charged on the Consolidated Fund*	*Total*
			Rs.	Rs.	Rs.
XXIV	Information and Publicity	Revenue	1,00,000	..	1,00,000
XXVI	Social Welfare including Harijan Welfare	Revenue	4,50,200	..	4,50,200
		Capital	1,05,68,000	..	1,05,68,000
XXVII	Relief on account of Natural Calamities	Revenue	80,75,000	..	80,75,000
XXVIII	Co-operation	Revenue	3,09,64,000	..	3,09,64,000
		Capital	10,00,00,100	..	10,00,00,100
XXIX	Miscellaneous Economic Services	Revenue	1,40,00,000	..	1,40,00,000
XXX	Agriculture	Revenue	2,50,00,200	..	2,50,00,200
		Capital	19,00,000	..	19,00,000
XXXIV	Fisheries	Capital	100	..	100
XXXV	Forest	Revenue	1,65,00,000	..	1,65,00,000
XXXVI	Panchayat	Revenue	100	..	100
XXXVII	Community Development	Revenue	5,08,70,100	..	5,08,70,100
XXXVIII	Industries	Revenue	2,00,00,000	..	2,00,00,000
		Capital	200	..	200
XL	Power	Capital	1,00,00,000	..	1,00,00,000
	Public Debt Repayment	Capital	..	74,300	74,300
	Total		48,90,32,400	66,51,000	49,56,83,400

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala required to meet the supplementary expenditure charged on the Consolidated Fund of the State of Kerala and the grants made by the Legislative Assembly for the expenditure of the Government of Kerala for the financial year 1983-84.

K. M. MANI

Government of Kerala
1983

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday 26th July 1983 / 4th Sravana 1905 [No. 792

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 5428/LA. 5/83. *Dated, Trivandrum, 26th July, 1983.*

The Kerala Appropriation (No. 7) Bill, 1983 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/3099/MC.

Seventh Kerala Legislative Assembly

Bill No. 61

THE KERALA APPROPRIATION (No. 7) BILL, 1983

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1975, in excess of the amounts granted for those services and for that year

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1975, in excess of the amounts granted for those services and for that year ;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 7) Act, 1983.

2. *Issue of Rs. 3,40,68,192 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1975.*—From and out of the Consolidated Fund of the State of Kerala, the sum specified in column (3) of the Schedule amounting in the aggregate to the sum of three crores, forty lakhs, sixty-eight thousand, one hundred and ninety-two rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1975, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sum deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1975.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and Purposes*	*Voted by the Legislative Assembly* Rs.	*Charged on the Consolidated Fund* Rs.	*Total* Rs.
I	State Legislature	..	134	134
II	Heads of States, Ministers and Headquarters Staff	8,58,355	3,390	8,61,745
III	Administration of Justice	..	44,127	44,127
IV	Elections	8,17,246	..	8,17,246
V	Agricultural Income Tax and Sales Tax	4,79,173	..	4,79,173
VI	Land Revenue	15,86,313	..	15,86,313
VII	Stamps and Registration Fees	2,42,767	..	2,42,767
VIII	Excise	1,45,198	..	1,45,198
IX	Taxes on Vehicles	5,28,339	..	5,28,339
X	Treasury and Accounts	15,59,479	..	15,59,479
XI	District Administration and Miscellaneous	11,88,084	..	11,88,084
XII	Police	32,43,651	..	32,43,651
XIV	Stationery and Printing and Other Administrative Services	33,13,433	..	33,13,433
XVIII	Medical	1,38,51,531	..	1,38,51,531
XXIII	Information and Publicity	2,07,376	..	2,07,376
XXXVI	Industries	58,62,498	..	58,62,498
XLI	Tourism	1,37,098	..	1,37,098
	Total	3,40,20,541	47,651	3,40,68,192

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1974-75.

K. M. MANI

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Government of Kerala
1983

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 [No. 794

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 5428/LA. 5/83. *Dated, Trivandrum, 26th July, 1983.*

The Kerala Appropriation (No. 9) Bill, 1983 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/3101/MC.

Seventh Kerala Legislative Assembly

Bill No. 63

THE KERALA APPROPRIATION (No. 9) BILL, 1983

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1977, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1977, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 9) Act, 1983.

2. *Issue of Rs. 6,34,34,752 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1977.*—From and out of the Consolidated Fund of the State of Kerala, the sum specified in column (3) of the schedule amounting in the aggregate to the sum of six crores, thirty four lakhs, thirty four thousand, seven hundred and fifty two rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the schedule during the financial year ended on the 31st day of March, 1977, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sum deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1977.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
Demand Number	*Services and purposes*	*Voted by the Legislative Assembly*	*Charged on the Consolidated Fund*	*Total*
		Rs.	*Rs.*	*Rs.*
II	Heads of States, Ministers and Headquarters staff	..	4,072	4,072
III	Administration of Justice	..	37,653	37,653
VI	Land Revenue	..	2,757	2,757
VII	Stamps and Registration Fees	..	647	647
XIII	Jails	17,518	..	17,518
XVII	Education, Art and Culture	22,40,494	..	22,40,494
XVIII	Medical	2,46,633	..	2,46,633
XIX	Family Planning	67,92,956	..	67,92,956
XXI	Public Health Engineering	19,89,713	1,171	19,90,884
XXVI	Social Welfare including Harijan Welfare	..	37,975	37,975
	Public Debt Repayment	..	5,20,63,163	5,20,63,163
	Total	1,12,87,314	5,21,47,438	6,34,34,752

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204(1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1976–77.

K. M. MANI

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Government of Kerala
1983

Reg. No. KL/TV(N)/1



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 [No. 795

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 5428/LA. 5/83. *Dated, Trivandrum, 26th July, 1983.*

The Kerala Appropriation (No. 10) Bill, 1983 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/3102/MC.

THE KERALA APPROPRIATION (No. 10) BILL, 1983

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1978, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1978, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 10) Act, 1983.

2. *Issue of Rs. 32,77,90,687 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1978.*—From and out of the Consolidated Fund of the State of Kerala, the sum specified in column (3) of the Schedule amounting in the aggregate to the sum of thirty-two crores, seventy-seven lakhs, ninety thousand, six hundred and eighty-seven rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1978, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sum deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1978.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and Purposes*	*Voted by the Legislative Assembly* Rs.	*Charged on the Consolidated Fund* Rs.	*Total* Rs.
III	Administration of Justice	..	19,674	19,674
IV	Elections	6,00,609	..	6,00,609
VI	Land Revenue	..	25,516	25,516
	Debt Charges	..	2,05,17,000	2,05,17,000
XI	District Administration and Miscellaneous	2,58,398	..	2,58,398
XXXVIII	Irrigation	23,72,058	3,784	23,75,842
XLII	Tourism	58,183	..	58,183
	Public Debt Repayment	..	30,39,35,465	30,39,35,465
	Total	32,89,248	32,45,01,439	32,77,90,687

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1977-78.

K. M. MANI

Government of Kerala
1983

Reg. No. KL/TV(N)/44



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 [No. 798

GOVERNMENT OF KERALA

General Administration (SC) Department

NOTIFICATION

No. 52-SC/83/GA(SC). *Dated, Trivandrum, 25th July,* 1983.

The following is the revised Select List, as approved by the Government, of officers for promotion to the category of Deputy Secretary to Government in the Finance Department, prepared by the Departmental Promotion Committee. This revises the Select List published as per Notification No. 96-SC/82-3/GA(SC) dated 19-3-1983.

/

SELECT LIST

1. Shri P. K. Sivadasan Nair
2. Smt. J. Sarojini
3. Shri K. N. Raman
4. Shri S. Venkitakrishna Iyer
5. Shri C. George Joseph
6. Shri M. N. Unnikrishnan Elayath
7. Shri M. E. Varghese

R. GOPALASWAMY,
Chief Secretary to Government,
Convener,
Departmental Promotion Committee

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TRIVANDRUM, 1983.

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1983

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 [No. 790

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 5428/LA. 5/83. *Dated, Trivandrum, 26th July, 1983.*

The Kerala Appropriation (No. 5) Bill, 1983 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/3097/MC.

Seventh Kerala Legislative Assembly

Bill No. 59

THE KERALA APPROPRIATION (No. 5) BILL, 1983

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1972, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1972, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fourth year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 5) Act, 1983.

2. *Issue of Rs. 3,51,279 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1972.*—From and out of the Consolidated Fund of the State of Kerala, the sum specified in column (3) of the Schedule amounting in the aggregate to the sum of three lakhs, fifty one thousand, two hundred and seventy nine rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1972, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sum deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1972.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and purposes*	*Voted by the Legislative Assembly* Rs.	*Charged on the Consolidated Fund* Rs.	*Total* Rs.
XL.	Miscellaneous	..	2,17,812	2,17,812
XLI.	Miscellaneous Compensation and Assignments	1,33,467	..	1,33,467
	Total	1,33,467	2,17,812	3,51,279

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1971-'72.

K. M. MANI

Reg. No. KL/TV(N)/!



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 [No. 791

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 5428/LA. 5/83. *Dated, Trivandrum, 26th July, 1983.*

The Kerala Appropriation (No. 6) Bill, 1983 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/3098/MC.

Seventh Kerala Legislative Assembly

Bill No. 60

THE KERALA APPROPRIATION (No. 6) BILL, 1983

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1974, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1974, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 6) Act, 1983.

2. *Issue of Rs. 1,21,47,829 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1974.*—From and out of the Consolidated Fund of the State of Kerala, the sum specified in column (3) of the Schedule amounting in the aggregate to the sum of one crore, twenty-one lakhs, forty-seven thousand, eight hundred and twenty-nine rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1974, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sum deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the Services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1974.

THE SCHEDULE

(*See* Sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and Purposes*	*Voted by the Legislative Assembly*	*Charged on the Consolidated Fund*	*Total*
		Rs.	Rs.	Rs.
II	Land Revenue	10,59,279	..	10,59,279
V	Stamps	55,657	..	55,657
VIII	Elections	75,604	..	75,604
X	District Administration and Miscellaneous	1,79,281	..	1,79,281
XI	Administration of Justice	2,06,960	9,997	2,16,957
XII	Jails	1,30,527	..	1,30,527
XXI	Public Health Engineering	11,82,422	..	11,82,422
XXXVI	Famine	16,727	..	16,727
XXXVII	Pensions	..	81,292	81,292
XLIII	Capital outlay on Public Health	49,70,890	..	49,70,890
XLVII	Capital outlay on Public Works	..	1,17,682	1,17,682
LII	Commuted value of Pensions	40,61,511	..	40,61,511
	Total	1,19,38,858	2,08,971	1,21,47,829

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1973-74.

K. M. MANI

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1983

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 [No. 756

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REPORT OF THE SUBJECT COMMITTEE

ON

THE KERALA MOTOR VEHICLES (TAXATION OF PASSENGERS AND GOODS) REVIVAL AND SPECIAL PROVISIONS BILL, 1983

AND

THE BILL AS REPORTED BY THE SUBJECT COMMITTEE.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33/3104/MC.

THE KERALA MOTOR VEHICLES (TAXATION OF PASSENGERS AND GOODS) REVIVAL AND SPECIAL PROVISIONS BILL, 1983

(Report of Subject Committee)

Subject Committee V—Public Works, Transport and Communications to which the Kerala Motor Vehicles (Taxation of Passengers and Goods) Revival and Special Provisions Bill, 1983 was referred, considered the Bill clause by clause and submits this, its report with the Bill as reported by the Committee annexed thereto.

2. The Kerala Motor Vehicles (Taxation of Passengers and Goods) Revival and Special Provisions Bill, 1983 was published as a Gazette Extraordinary dated, June 15, 1983.

The Bill was introduced in the Assembly on June 21, 1983 and was referred to the Committee on the same day.

3. The Committee considered the Bill clause by clause at its sitting held on July 15, 1983. The Committee recommends to adopt the Bill without any modification.

K. K. Balakrishnan,

Minister for Transport & Chairman,
Subject Committee V.

THE KERALA MOTOR VEHICLES (TAXATION OF PASSENGERS AND GOODS) REVIVAL AND SPECIAL PROVISIONS BILL, 1983

(As reported by the Subject Committee)

A

BILL

to revive and amend the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963 and to make certain special provisions for the levy and collection of tax on goods carried or hauled by articulated vehicles, tractor-trailer combinations, tiller-trailer combinations and trailers drawn by any other motor vehicle, for the period during which the said Act was in force.

Preamble.—Whereas in Writ Appeals Nos. 39 and 40 of 1975, a Division Bench of the Kerala High Court has held that tractor-trailer combinations could not be said to be goods vehicles within the meaning of that expression in the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963;

And whereas the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963, has been repealed by section 30 of the Kerala Motor Vehicles Taxation Act, 1976;

And whereas it has become necessary in the light of the said decision of the Kerala High Court, to revive and amend the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963, for the purposes of levy and collection of tax under that Act on goods carried or hauled by articulated vehicles, tractor-trailer combinations, tiller-trailer combinations and trailers drawn by any other motor vehicle, for the period commencing on the 1st day of July, 1963 and ending with the 30th day of September, 1975;

Be it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Kerala Motor Vehicles (Taxation of Passengers and Goods) Revival and Special Provisions Act, 1983.

(2) It extends to the whole of the State of Kerala.

(3) It shall be deemed to have come into force on the 22nd day of January, 1983.

THE KERALA MOTOR VEHICLES (TAXATION OF PASSENGERS AND GOODS) REVIVAL AND SPECIAL PROVISIONS BILL, 1983

(Report of Subject Committee)

Subject Committee V—Public Works, Transport and Communications to which the Kerala Motor Vehicles (Taxation of Passengers and Goods) Revival and Special Provisions Bill, 1983 was referred, considered the Bill clause by clause and submits this, its report with the Bill as reported by the Committee annexed thereto.

2. The Kerala Motor Vehicles (Taxation of Passengers and Goods) Revival and Special Provisions Bill, 1983 was published as a Gazette Extraordinary dated, June 15, 1983.

The Bill was introduced in the Assembly on June 21, 1983 and was referred to the Committee on the same day.

3. The Committee considered the Bill clause by clause at its sitting held on July 15, 1983. The Committee recommends to adopt the Bill without any modification.

K. K. BALAKRISHNAN,

Minister for Transport & Chairman,
Subject Committee V.

2. *Interpretation.*—All words and expressions used in this Act shall have the meanings respectively assigned to them in the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963, as revived and amended by this Act.

3. *Revival of Kerala Act* 25 *of* 1963 *and rules made thereunder for certain purposes.*—The Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963 (25 of 1963) (hereinafter referred to as the said Act) and the rules made thereunder are hereby revived and shall be, and shall be deemed always to have been, in force subject to the amendments and special provisions hereinafter contained, for the purposes necessary for, and ancillary to, the levy and collection of tax on goods carried by articulated vehicles, tractor-trailer combinations, tiller-trailer combinations and trailers drawn by any other motor vehicle, for the period commencing on the 1st day of July, 1963 and ending with the 30th day of September, 1975.

4. *Amendment of Act* 25 *of* 1963.—In the said Act,—

(1) in section 2,—

(i) for clause (a), the following clauses shall be substituted, namely:—

"(a) "articulated vehicle" means a tractor to which a trailer is attached in such a manner that a part of the trailer is super-imposed on, and a part of the weight of the trailer is borne by, the tractor;

(ai) "carriage", with its grammatical variations and cognate expressions, includes haulage;

(aii) "goods vehicle" means any motor vehicle constructed or adapted for use for the carriage of goods solely or in addition to passengers or any motor vehicle not so constructed or adapted when used for the carriage of goods solely or in addition to passengers, and includes an articulated vehicle, a tractor-trailer combination, a tiller-trailer combination and a trailer drawn by any other motor vehicle when used for the carriage of goods;";

(ii) for clause (e), the following clause shall be substituted, namely:—

"(e) "public carrier vehicle" means a goods vehicle carrying goods for hire or reward;";

(2) in section 3, for the word "transported", in both the places where it occurs the word "carried" shall be substituted;

(3) for section 4, the following section shall be substituted, namely:—

"4. *Composition of tax.*—The operator may, at his option, compound the tax payable by him under sub-section (3) of section 3 by paying in lieu thereof, a fee fixed in the manner specified in the Schedule, to the prescribed

officer or to any other officer authorised by the Government in this behalf by notification in the Gazette, before the expiry of a period of ninety days from the commencement of this Act.";

(4) in section 14, for the word "transported", the word "carried" shall be substituted.

5. *Special provisions in respect of tax on tractor-trailer combinations.*—(1) Notwithstanding anything to the contrary contained in the said Act or the rules made thereunder, the following provisions shall apply in respect of the tax under the said Act on goods carried by articulated vehicles, tractor-trailer combinations, tiller-trailer combinations and trailers drawn by any other motor vehicle, for the period commencing on the 1st day of July, 1963 and ending with the 30th day of September, 1975.

(2) The tax referred to in sub-section (1) shall be levied on all goods carried by articulated vehicles, tractor-trailer combinations, tiller-trailer combinations and trailers drawn by any other motor vehicle, at the rates specified in or under the said Act from time to time:

Provided that no tax shall be levied on goods which were exempt from the levy of tax by or under the said Act.

(3) Notwithstanding anything contained in sub-section (1), any tax levied and assessed under the said Act before the commencement of this Act or any goods referred to in that sub-section shall be deemed to have been levied and assessed under the said Act as revived and amended by this Act, and if any tax on such goods has already been paid, the tax so paid shall be adjusted as provided in section 6 towards the tax payable under the said Act as revived and amended by this Act.

(4) The operator of every articulated vehicle, tractor-trailer combination, tiller-trailer combination or trailer drawn by any other motor vehicle, in respect of which tax is payable under the said Act as revived and amended by this Act shall, within a period of ninety days from the date of commencement of this Act apply to the prescribed officer or to any other officer authorised by the Government in this behalf by notification in the Gazette, for assessment of the tax payable by him under the said Act as revived and amended by this Act with a return in the form prescribed under the said Act.

(5) If any operator fails to apply or file the return as required by sub-section (4), the prescribed officer or the officer authorised by the Government under that sub-section shall, after making such inquiry as he deems necessary and after giving the operator an opportunity of being heard, assess the tax payable by the operator to the best of his judgement.

(6) Notwithstanding any provisions regarding limitation in the said Act or in the rules made thereunder, the tax due under the said Act as revived and amended by this Act may be levied and assessed within a period of ten years from the commencement of this Act and recovered in the manner provided under the said Act and the rules made thereunder.

6. *Adjustment of tax already collected.*—(1) The amount of tax on goods carried by any articulated vehicle, tractor-trailer combination, tiller-trailer combination or trailer drawn by any other motor vehicle, for the period commencing on the 1st day of July, 1963 and ending with the 30th day of September, 1975, collected from any operator or other person under the said Act, shall be adjusted towards the tax due from him for the said period under the said Act as revived and amended by this Act.

(2) If such tax collected from an operator or other person under the said Act is less than the amount of tax due under the said Act as revived and amended by this Act, only the balance shall be recovered from him and if the tax so collected is in excess, such excess shall be refunded to him.

7. *Saving.*—Nothing contained in this Act shall render any person liable to be convicted of an offence in respect of anything done or omitted to be done by him before the commencement of this Act.

8. *Repeal and Saving.*—(1) The Kerala Motor Vehicles (Taxation of Passengers and Goods) Revival and Special Provisions Ordinance, 1983 (13 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the said Ordinance or under the said Act as revived and amended by the said Ordinance shall be deemed to have been done or taken under this Act or, as the case may be, under the said Act as revived and amended by this Act.

Secretariat of the Kerala Legislature
Trivandrum, July 26, 1983.

DR. R. PRASANNAN,
Secretary,

Government of Kerala
1983

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 (Saka) [No. 799

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്)

9 (5)-ാം വകുപ്പുപ്രകാരമുള്ള നോട്ടീസ്

No. A. 601/83. 1983 ജൂലൈ 16.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്റ്റിൽ പറഞ്ഞിട്ടുള്ളതും, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം ഒരു പൊതു കാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ സർക്കാർ ഉദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാപേരും നേരിട്ടോ, അധികൃത ഏജന്റു മൂലമോ താഴെ പറയുന്ന തീയതിയിലും സമയത്തും സ്ഥലത്തും ഹാജരാകുകയും ഭൂമിയിൽ അവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളുടെ സ്വഭാവവും, ഭൂമിയിൽ അങ്ങനെയുള്ള അവകാശബന്ധങ്ങളെ സംബന്ധിച്ചിടത്തോളം നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള തേർച്ചയുടെ തുകയും വിവരങ്ങളും ആക്റ്റ് 8-ാം വകുപ്പുപ്രകാരം എടുത്തിട്ടുള്ള അളവ് സംബന്ധിച്ച് വല്ല ആക്ഷേപവും ഉണ്ടെങ്കിൽ അതും ഏതാണെന്ന് കാണിച്ചുകൊണ്ട് പ്രസ്താവന ചെയ്യുകയും അവരോ അവരുടെ ഏജന്റുമാരോ എഴുതി ഒപ്പിട്ട ഒരു സ്റ്റേറ്റ്മെന്റ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്:—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് തേർച്ച ചെയ്യാൻ കൂട്ടാക്കാതിരിക്കുകയോ മതിയായ കാരണമില്ലാതെ അങ്ങനെ തേർച്ച ചെയ്യാൻ വീഴ്ചവരുത്തുകയോ ചെയ്യുന്ന പക്ഷം അവരുടെ അപേക്ഷയിൻമേൽ കോടതിക്ക് റഫറൻസ് അയയ്ക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചുകൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്റ്റ് 11-ാം വകുപ്പുപ്രകാരം കളക്ടർ വിധിച്ചുകൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതുമാകുന്നു.

33/3110/83/J.

ഹാജരാകേണ്ട തീയതിയും സമയവും സ്ഥലവും	30-7-1983-ൽ രാവിലെ 11 മണിക്ക് ആലപ്പുഴ റയിൽവെ സ്ഥലമെടുപ്പ് സ്പെഷ്യൽ തഹശീൽദാർ മുമ്പാകെ.

ഭൂമിയുടെ വിവരണം

ജില്ല—ആലപ്പുഴ

താലൂക്ക്—അമ്പലപ്പുഴ

വില്ലേജ്—ആലപ്പുഴ പടിഞ്ഞാറ്

വിവരണം—പുരയിടം

ക്രമ നമ്പർ	സർവ്വേ നമ്പർ	വിസ്തീർണ്ണം (ഹെക്ടറിൽ)
1	493/10A3	0.0627
2	493/10A4	0.0120
3	493/10B23	0.0652
4	493/10B22	0.0040
5	493/10B21	0.0050
6	493/10B20	0.0267
7	493/10B19	0.0192
8	493/10B18	0.0150
9	493/10B17	0.0160
10	493/10B44	0.0130
11	493/10B16	0.3185
12	493/10B32	0.0486
13	493/10B30	0.0516
14	493/10B31	0.0152
15	493/10B29	0.0121
16	493/10B33	0.0568
17	493/10B34	0.0141
18	493/10B35	0.0121
19	493/10B36	0.0384
20	493/10B38	0.0526
21	493/10B41	0.0669
22	493/10B42	0.0121
23	493/10B43	0.0293
24	493/10B24	0.0180
25	493/10B25	0.0018
26	493/10B26	0.0063
27	493/10B37	0 0099
28	493/10B40	0.0222
29	493/10B39	0.0222

ക്രമ നമ്പർ	സർവ്വേ നമ്പർ	വിസ്തീർണ്ണം (ഹെക്ടറിൽ)
30	493/10B27	0.0650
31	493/10B28	0.0620
32	493/3-1	0.0182
33	493/3-7	0.0106
34	493/3-8	0.0430
35	493/3-9	0.0335
36	493/3-6	0.0121
37	493/4-2	0.0809
38	493/4-3	0.1012
39	493/4-4	0.0113

(ഒപ്പ്)
സ്പെഷ്യൽ തഹശീൽദാർ
(L.A.), റയിൽവെ.

ആലപ്പുഴ.

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TRIVANDRUM, 1983.

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Reg. No. KL/TV(N)/1:



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 26th July 1983 / 4th Sravana 1905 [No. 797

GOVERNMENT OF KERALA

Taxes (E) Department

ORDERS

1

G. O. (P) No. 37/83/TD. *Dated, Trivandrum, 26th July,* 1983.

S. R. O. No. 935/83.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Kerala Stamp Act, 1959 (17 of 1959), the Government of Kerala, being of opinion that it is necessary in the public interest so to do, hereby remit the duty with which the sale deed in respect of an extent of 0.3844 hectare of land comprised in Survey numbers 27 A, B. and 29 in Karthikappally Village, in Karthikappally Taluk in Alleppey District to be executed by Shri Subramonya Iyer Ganapathy Iyer, Chemkara Madhom, Vettuveni muri, Pallippad village, Karthikappally Taluk in favour of Karthikappally Panchayat for the establishment of a Kerala State Road Transport Corporation Operating Centre at Haripad, is chargeable under the said Act.

By order of the Governor,

R. MUTHUKRISHNAN,
Deputy Secretary (Taxes).

33/3093/MC.

Explanatory Note

(This does not form part of the Notification, but is intended to indicate its general purport).

The Karthikappally Panchayat has passed a resolution on 20-6-1983 requesting Government to exempt them from payment of stamp duty for executing the sale deeds in favour of the Panchayat for the purchase of land for establishing a Kerala State Road Transport Corporation Operating Centre at Haripad. The Convener, Kerala State Road Transport Corporation Bus Station Vikasana Samithi has informed Government that the proposal includes purchase of 95 cents of land (0.3844 hectare) in Survey No. 27 A, B. 29 for a consideration of Rs. 95,000. The Government have examined the matter and have decided to remit the stamp duty payable on the proposed sale deed. The above order is intended to achieve this object.

II

G. O. (P) No. 37/83/TD. *Dated, Trivandrum, 26th July,* 1983.

S. R. O. No. 936/83.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Kerala Stamp Act, 1959 (17 of 1959), the Government of Kerala, being of opinion that it is necessary in the public interest so to do, hereby remit the duty with which the sale deed in respect of an extent of 0.08901 hectare of land comprised in Survey number 50/1-4 in Karthikappally village in Karthikappally Taluk in Alleppey District to be executed by Smt. Remani Amma, Sreevilasom Vettuveni Muri, Karthikappally Village, Karthikappally Taluk in favour of the Karthikappally Panchayat for the establishment of a Kerala State Road Transport Corporation Operating Centre at Haripad, is chargeable under the said Act.

By order of the Governor,

R. Muthukrishnan,
Deputy Secretary (Taxes).

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The Karthikappally Panchayat has passed a resolution on 20-6-1983 requesting Government to exempt them from payment of stamp duty for executing the sale deeds in favour of the Panchayat for the purchase of land for starting a Kerala State Road Transport Corporation Operating Centre at Haripad. The Convener, Kerala State Road Transport Corporation Bus Station Vikasana Samithi has informed Government that the proposal includes

purchase of 22 cents (0.08901 hectare) of land in Survey Number 50/1-4 for a consideration of Rs. 22,000. The Government have examined the matter and have decided to remit the stamp duty payable on the proposed sale deed. The above order is intended to achieve this object.

III

G.O. (P) No. 37/83/TD. *Dated, Trivandrum, 26th July,* 1983.

S. R. O. No. 937/83.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Kerala Stamp Act, 1959 (17 of 1959), the Government of Kerala, being of opinion that it is necessary in the public interest so to do, hereby remit the duty with which the sale deed in respect of an extent of 0.03034 hectare of land comprised in Survey number 26A., B. in Karthikappally Village in Karthikappally Taluk in Alleppey District to be executed by Sri Subramonya Iyer Krishna Moorthy, Thayyil Puthen Madhom, Karthikappally Village, Karthikappally Taluk in favour of Karthikappally Panchayat for the establishment of a Kerala State Road Transport Corporation Operating Centre at Haripad, is chargeable under the said Act.

By order of the Governor,

R. Muthukrishnan,
Deputy Secretary (Taxes).

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Karthikappally Panchayat has passed a resolution on 20-6-1983 requesting Government to exempt them from payment of stamp duty for executing the sale deeds in favour of the Panchayat for the purchase of land for starting a Kerala State Road Transport Corporation Operating Centre at Haripad. The Convener, Kerala State Road Transport Corporation Bus Station Vikasana Samithi has informed Government that the proposal includes the purchase of 7.5 cents (0.03034 hectare) of land in Survey Number 26'A., B. for a consideration of Rs. 30,000. The Government have examined the matter and have decided to remit the stamp duty payable on the proposed sale deed. The above order is intended to achieve this object.

IV

G.O. (P) No. 37/83/TD. *Dated, Trivandrum, 26th July*, 1983.

S. R. O. No. 938/83.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Kerala Stamp Act, 1959 (17 of 1959), the Government of Kerala, being of opinion that it is necessary in the public interest so to do, hereby remit the duty with which the sale deed in respect of an extent of 0.02023 hectare of land comprised in Survey Number 23 and an extent of 0.0405 hectare of land comprised in Survey Number 50 in Karthikappally Village in Karthikappally Taluk in Alleppey District to be executed by Shri Govindan Nair Chandrasekharan Nair, Kannamparambil, Vettiveni, Karthikappally Village, Karthikappally Taluk in favour of the Karthikappally Panchayat for the establishment of a Kerala State Road Transport Corporation Operating Centre at Haripad, is chargeable under the said Act.

By order of the Governor,

R. MUTHUKRISHNAN,
Deputy Secretary (Taxes).

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Karthikappally Panchayat has passed a resolution on 20-6-1983 requesting Government to exempt them from payment of stamp duty for executing the sale deeds in favour of the Panchayat for the purchase of land for starting a Kerala State Road Transport Corporation Operating Centre at Haripad. The Convener, Kerala State Road Transport Corporation Bus Station Vikasana Samithi has informed Government that the proposal includes the purchase of 15 cents (0.0607 hectare) of land in Survey Number 23 and 50 for a consideration of Rs. 30,000. The Government have examined the matter and have decided to remit the stamp duty payable on the proposed sale deed. The above order is intended to achieve this object.

V

G.O. (P) No. 37/83/TD. *Dated, Trivandrum, 26th July*, 1983.

S. R. O. No. 939/83.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Kerala Stamp Act, 1959 (17 of 1959), the Government of Kerala, being of opinion that it is necessary in the public interest

so to do, hereby remit the duty with which the sale deed in respect of an extent of 0.1618 hectare of land comprised in Survey Number 50/2 in Karthikappally Village in Karthikappally Taluk in Alleppey District to be executed by Smt. Kalyani Amma Karthyani Amma, Muthappallil Padeetathil, Plapuzha Muri, Haripad Village, Karthikappally Taluk in favour of the Karthikappally Panchayat for the establishment of a Kerala State Road Transport Corporation Operating Centre at Haripad is chargeable under the said Act.

By order of the Governor,

R. MUTHUKRISHNAN,
Deputy Secretary (Taxes).

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The Karthikappally Panchayat has passed a resolution on 20-6-1983 requesting Government to exempt them from payment of stamp duty for executing the sale deeds in favour of the Panchayat for the purchase of land for starting a Kerala State Road Transport Corporation Operating Centre at Haripad. The Convener, Kerala State Road Transport Corporation Bus Station Vikasana Samithi has informed Government that the proposal includes the purchase of 40 cents (0.1618 hectare) of land in Survey Number 50/2 for a consideration of Rs. 40,000. The Government have examined the matter and have decided to remit the stamp duty payable on the proposed sale deed. The above order is intended to achieve this object.

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33/3093/MC.